S. Hrg. 98–399

CONTINUATION OF THE PRESIDENT'S AUTHORITY TO WAIVE THE TRADE ACT FREEDOM OF EMIGRATION PROVISIONS

HEARING

BEFORE THE

SUBCOMMITTEE ON INTERNATIONAL TRADE

OF THE

COMMITTEE ON FINANCE

UNITED STATES SENATE

NINETY-EIGHTH CONGRESS

FIRST SESSION

JULY 29, 1983

Printed for the use of the Committee on Finance

U.S. GOVERNMENT PRINTING OFFICE
26-235 O WASHINGTON : 1983

S361-78

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CONTINUING THE PRESIDENT'S AUTHORITY TO WAIVE THE TRADE ACT FREEDOM OF EMIGRATION PROVISIONS

FRIDAY, JULY 29, 1983

U.S. SENATE,
COMMITTEE ON FINANCE,
SUBCOMMITTEE ON INTERNATIONAL TRADE,
Washington, D.C.

The subcommittee met, pursuant to notice, at 9:37 a.m., in room SD-215, Dirksen Senate Office Building, Hon. John C. Danforth (chairman) presiding.

Present: Senators Dole, Danforth, Grassley, and Bradley.

[The press release announcing the hearing and the prepared statements of Senators Dole, Danforth, and Grassley follow:]

[Press Release No. 83-159, July 8, 1983]

FINANCE SUBCOMMITTEE ON INTERNATIONAL TRADE TO HOLD HEARING ON CONTINUING THE PRESIDENT'S AUTHORITY TO WAIVE THE TRADE ACT FREEDOM OF EMIGRATION PROVISIONS

Senator John C. Danforth (R.-Mo.), Chairman of the Subcommittee on International Trade of the Senate Committee on Finance, announced today that the Subcommittee will hold a public hearing on the status of and continuation of the President's authority to waive application of subsections (a) and (b) of section 402, the freedom of emigration provision, of the Trade Act of 1974 (Public Law 93-618).

The hearing will begin at 9:30 a.m., Friday, July 29, 1983, in Room 215 of the Dirksen Senate Office Building.

Chairman Danforth noted that on June 3, 1983, the President transmitted to Congress his recommendation under section 402(d)(5) of the Trade Act, that the waiver authority be extended 12 months on July 3, 1984. This recommendation was based on his determination under section 402(d)(5) of the Trade Act, that the extension of the waiver authority will substantially promote the objectives of freedom of emigration in general and, in particular, in cases of the Socialist Republic of Romania, the Hungarian People's Republic and the People's Republic of China.

The Chairman noted that the June 23, 1983 decision of the United States Supreme Court in *Immigration and Naturalization Service.* v. *Chadha et al.*, No. 80-1832, invalidated a congressional veto similar to that set out in section 402 of the Trade Act of 1974. Accordingly, witnesses are requested to address the procedures by which Congress may promote the objective of freedom of emigration from nonmarket economy countries by exercising its authority to grant or withhold MFN treatment as well as the status of the President's authority under section 402 of the Trade Act of 1974 in light of the *Chadha* decision.

Testimony is also expected on the merits of the President's waiver recommendations with respect to each of the three countries.

STATEMENT OF SENATOR DOLE

Mr. Chairman, this year, our review of the President's determination regarding extension of most-favored-nation (MFN) status to Hungary, Romania and the People's Republic of China must take account of the Supreme Court's *Chadha* decision.

That decision has affected the balance embodied in Title IV of 1974 Trade Act between Congress and the President. These hearings present an opportunity to review the Congressional role under Title IV in light of the Supreme Court's decision and consider how we might promote more effectively the human rights cause in the Soviet bloc.

Mr. Chairman, I am convinced that Congress must retain an effective role in the promotion of human rights in these countries, including the freedom to emigrate. In my dual capacity as Finance Committiee Chairman and Helsinki Commission Co-Chairman, I have witnessed the important role played by the Congress in improving the lot of literally millions of people in the totalitarian East and in reducing the barriers to emigration for thousands who chose to leave their native lands in pursuit of better lives with their loved ones in the West. I do not deceive myself in thinking that our role has eliminated the abuse of human rights, or even, that the role of Congress has been the decisive factor. But who can doubt that our efforts and our role, as reflected in the 1974 Trade Act, have been a significant factor in helping those in the Soviet bloc who cannot help themselves.

While we can be pleased that there are no serious emigration issues with respect to Hungary or China, and we can be proud of our role in helping those wishing to emigrate from Romania, our success in promoting freedom of emigration from the Soviet Union, is at best, mixed. I am attaching an article by Edgar Bronfman, President of the World Jewish Congress, which raises just this question and one by Dr. William Korey of B'nai B'rith, which takes an opposing view. The *Chadha* decision comes at a time when we may wish to review our approach to the promotion of human rights and the freedom to emigrate in the Soviet Union and in the other Eastern bloc countries.

THE SITUATION IN ROMANIA

This year, as in past years, the situation in Romania remains unsatisfactory. But there is new reason for hope. I welcome the new assurances that President Ceausescu has given President Reagan, but deeds, not just encouraging words, are convincing. The education tax which imperiled Romania's MFN status earlier this year is not being applied, but it is too early to tell whether assurance that the Romanian Government will not create economic or procedural barriers to emigration are being felt in practice. I trust that these new Romanian assurances mean that Romania will abide by its humanitarian commitments under the Helsinki Final Act. I was also encouraged that Romania backed the NATO proposal for the holding of a Human Contracts Experts Meeting at the Madrid Review Conference of Helsinki signatory states.

I will be particularly interested in following Romania's human rights record in the next several months in light of its consent to end the Madrid Meeting on the basis of the final versions of the Draft Concluding Documents of the Conference. These documents commit Romania to make additional progress in the human contracts area by reducing procedural barriers to emigration and expediting applications for family meetings, reunification and marriage.

Each year at the time of these hearings, there is a notable surge in emigration from Romania. I am pleased to see that Romania has sustained the relatively higher emigration levels achieved during last year's MFN review through the end of 1982 and during the first half of 1983.

The Romanian Government should understand that Congress does notice its human rights performance during the entire year. Let there be no doubt that human rights in Romania is a year round concern to me. Last year, I sponsored Senate Resolution No. 445 in which I expressed my concern for religious and minority rights activities and prisoners of conscience in Romania. I shall continue to monitor developments in Romania in light of President Ceausescu's promises and Romania's new human contacts agreement in Madrid.

Mr. Chairman, perhaps the Supreme Court's decision in *Chadha* presents the occasion to reexamine our role in promoting freedom of emigration in the Soviet bloc. But let there be no mistake about our determination that Congress play a strong role in promoting this basic principle.

[From the New York Times, July 1, 1983]

To Help Soviet Jews

(By Edgar M. Bronfman)

In 1974, a debate raged within the Jewish community about whether support should be given to the Jackson-Vanik amendment, which drew a direct link between trade benefits granted by the United States and a country's emigration policies. The amendment was approved, but whatever might have been said about its effectiveness then, it clearly has no relevance today.

Put bluntly, Jackson-Vanik is not working. Soviet authorities have brought Jewish emigration to a virtual standstill. Accordingly, we should begin paying attention to those who suggest that the Jackson-Vanik amendment should be repealed on grounds that it disrupts Soviet-American relations without facilitating Jewish emigration.

The repeal would be a sign of goodwill that challenges the Russians to respond in kind. To that end, I would support negotiations, conducted through channels of quiet diplomacy, in which we would offer to rescind Jackson-Vanik in exchange for assurances that Moscow would enlarge the rights of Jews to leave the Soviet Union and to practice their religion within the Soviet Union.

It should be stressed that what is involved here is not a unilateral giveaway. If private assurances are not fulfilled, their is little doubt that their betrayal would be met with a public outcry. Moreover, as a practical matter, nobody, least of all the Russians, believes that in the absence of Jackson-Vanik there would simply be business-as-usual with the United States while the plight of Soviet Jews remained unchanged.

There is a natural tendency in the world toward advancing one's self-interest, and this poses the problem of how to reconcile competing interests in an effort to achieve the common good. I would submit there is but one answer: maximizing the benefits to all parties without betrayal of basic principles of morality or decency.

But someone has to take the first step—a step that might not only improve the lot of Soviet Jews but, more broadly, lead to a general easing of tensions and, conceivably, significant arms control.

The main principle underlying our dealings with the Soviet Union should be a desire to create a more favorable environment. And as a Jew who per-force is particularly concerned with the fate of Soviet Jews, I adhere to these same principles. We cannot resign ourselves to a second cold war. What is required is a new basis of relations from which both sides can perceive benefit.

One man who has lived long and who has achieved much wisdom on the way knows that there is one over-riding agenda confronting humanity. That agenda is arms control, the lessening of tensions, peaceful co-existence, and, finally, world peace. Averell Harriman, at the age of 91, has just returned from a voyage to Moscow where be conferred with Yuri V. Andropov. He went as a private citizen. He went because he feels deeply that peace is possible and that the alternative is the apocalypse.

I am quite sure that Mr. Andropov feels that the message be delivered to Mr. Harriman, in which he expressed his desire for peace, was itself a meaningful signal of Soviet intentions. Yet our Government must take into account Soviet conduct in Afghanistan, Poland and the Middle East, where Moscow's Syrian client refuses to recall its troops from Lebanon and ask whether Mr. Andropov's good intentions are sufficient in and of themselves. But the Russians do have at hand a readily available means of sending a signal—one that can be sent without great political cost. A reopening of the gates to Soviet Jews would have an enormous impact on East-West relations generally. And if positive movement on the Soviet Jewish question led to reduced global tensions, would we not all benefit?

There is certainly something of the "chicken or the egg" question here. But the point is that there isn't time to ask which comes first—our gesture or theirs. If we are not careful, there may be no one left to ask the question. Rhetoric escalates, suspicions mount, while leaders in both Moscow and Washington become increasingly inured to the hazards of the arms race and the steady growth in East-West tensions. Our first priority is to transform the conditions of our relationship. And, in the scheme of things, arms control should be our ultimate objective.

In doing so, we must set aside the demands of politics. Our system makes it all too easy for statesmen to engage in political posturing when statesmanship is called for. Windows of vulnerability on one side and over reaction on the other, saber-rattling here and harsh repression there must give way to cooperation—and soon. A gesture here, a signal there and a little more willingness to take small risks for peace and thereby transform the current somber reality—that's Governor Harriman's message. I hope those who should hear it are listening.

[From the Washington Post, June 28, 1983]

THE VALUE OF JACKSON-VANIK

Romania's disclosure that its heavy education tax on those seeking to emigrate is a dead letter recalls a similar episode involving the Soviet Union. Both experiences highlight the value of the Jackson-Vanik amendment at a time when the myth of its counterproductivity, nurtured by formed president Nixon and former secretary of state Henry Kissinger, is becoming conventional wisdom, is in some corridors of power.

Romania last November sought to end the right to emigrate by requiring emigrants to pay huge bills in hard currency for their higher-school and university education. In 1972, the Soviet Union secretly imposed a scale of "diploma" taxes almost prohibitive for those seeking to emigrate.

The Soviet edict prompted the Jackson-Vanik legislation, which linked most-favored-nation traff treatment and U.S. government credits for "non-marked" countries to the easing of emigration procedures, including the elimination of exit taxes above the nominal level. It was introduced in the House in February 1973, and in the Senate on March 16.

On March 19 and 20, the Kremlin disclosed that 44 Soviet Jews were being allowed to leave without paying the tax. The next day a special article stated that the "diploma tax will not be enforced any more." The dropping of the edict facilitated the exodus of the approximately 200,000 Jews who emigrated after that date. In the same way, Jackson-Vanik helped increase the emigration of Romanian Jews by some 50 percent last year and has now led to the removal of a law in clear violation of international human rights standards.

In Richard Nixon's view, the amendment resulted in cutting Jewish emigration in half, while his administration's "quiet diplomacy" brought about a jump in the emigration rate from 1,000 in 1968 to 35,000 in 1973. Mr. Kissinger, in his "Years of Upheaval," says that Jackson-Vanik "wound up substantially reducing" emigration.

The reality is otherwise, Jewish emigration sharply declined from the very beginning of 1974 long before the amendment was enacted into law (Dec. 20, 1974). Even with Jackson-Vanik on the books, Jewish emigration rose from 1976 through 1979, reaching the highest level ever (51,000) in 1979 and outdistancing by far the 1973 and level of 35,000.

Other factors, totally unrelated to Jackson-Vanik, explain the vagaries of Soviet emigration policy.

Notwithstanding, the Nixon-Kissinger thesis finds repeated echoes, most recently among some congressional leaders who want to dump Jackson-Vanik. Andrei Salharov had a word about this a decade ago. Failure to enact the amendment, he said, would constitute "a betrayal of the thousands of Jews and non-Jews who want to emigrate, of the hundreds in camp and mental hospitals, of the victims of the Berlin Wall."

WILLIAM KOREY,
Director, International Policy Research, B'nai B'rith International.

New York.

STATEMENT OF CHAIRMAN JOHN C. DANFORTH

This morning the Subcommittee on International Trade will receive testimony on the President's general authority to waive application of the freedom of emigration provisions of Section 402 of the Trade Act of 1974, as well as continuation of the exercise of that authority with respect to Romania, Hungary and the People's Republic of China.

The Committee will also receive testimony on the status of the President's wavier authority in light of the recent Supreme Court decision in *INS* v. *Chadha*, and procedures by which Congress may further promote the objective of freedom of emigration from non-market economy countries.

Since assuming the Chairmanship of this Subcommittee, I have become increasingly concerned about the problems faced by persons wishing to leave Romania. During the past three years, I have met with Romanian officials regularly to express my concerns about that country's emigration policies. Problems of emigration from Romania were compounded this year by the imposition by that Government of a tax on education—amounting to several thousand dollars which would-be emigrants were expected to pay in hard currency.

The suspension of application of Romania's education tax does not constitute the end of problems by Romanians who wish to leave their country. Even the relatively Favorable emigration statistics from Romania this spring do not reflect the significant number of unresolved family reunification cases of longstanding concern to me and others in the Congress.

It is my hope and expectation that we can focus on these continuing problems today. In addition, I intend to use the opportunity of the *INS* v. *Chadha* decision and this hearing to see if we can move forward with modifications of the President's waiver authority under Section 402 that will enhance the goal of freedom of emigration from non-market economy countries.

STATEMENT OF SENATOR GRASSLEY

Thank you Mr. Chairman. As some of my colleagues will recall from my prepared statement in last year's hearing, I raised several concerns relative to the extension of MFN to the country of Romania.

This year, unfortunately, as a result of the Supreme Court's decision on the legislative veto I am more concerned that the Romanians may get more complacent in their human rights efforts since they are aware that we have no disapproval mechanism.

In that light I would just like to state for the record that Congress last year had its goodwill exhausted with the way Romania has approached the MFN review over the years, with the new Presidential understanding between Romania and the United States along with the recent consensus (of which Romania was a party to) to adopt a concluding document at the Madrid review meeting of Helsinki signatory states, we need to hold Romania to its commitment for any additional renewal.

Among the new Madrid Accords which build on the foundation of the Helsinki Final Act's humanitarian provisions are six new commitments regarding human contacts: First, to "favorably deal with" and "decide upon" applications for family meetings, reunification and marriage; second, to decide marriage and family reunification applications "within six months"; third, not to modify the rights to "employment, housing, residence status, family support, access to social, economic or education benefits" of all persons who make or renew applications for family reunification; fourth, to provide the necessary forms and information on procedures and regulations followed in emigration cases; fifth, to reduce fees charged in connection with emigration "to bring them to a moderate level in relation to the average monthly income"; and sixth, to inform applicants as "expeditiously as possible of the decision" on their cases and inform them of "their right to renew applications after reasonable short intervals" in cases of refusal.

In addition to these commitments, Romania and the other participating states have agreed to hold an experts meeting on human contacts in spring 1986 to discuss humanitarian problems arising in the family reunification field.

From now on out, how Romania is abiding by its commitments to President Reagan and to other Helsinki signatory states will be a key factor in U.S. decision-making on MFN and other matters concerning Romania.

Romania must deal with emigration requests in a positive and humanitarian spirit; must process emigration requests as expeditiously as possible; must permit renewal of requests not granted at reasonably short intervals; must not charge immoderate fees in connection with emigration; must permit persons who emigrate to bring with them or ship household and personal effects; and, must not modify the rights and obligations of the applicant or members of his family upon the presentation of an emigration request.

If Romania truly seeks the development of good bilateral relations with the United States, they must understand that international cooperation and trust cannot exist without respect for human rights.

Finally, Mr. Chairman, I would like to add for the record a copy of a July 26, 1983, letter to Ambassador Malitza, cosigned by four of my colleagues, regarding several emigration cases.

U.S. SENATE,
Washington, D.C., July 26, 1983.

Hon. MIRCEA MALITZA,
Ambassador, Embassy of the Socialist Republic of Romania, 1607 23d Street NW., Washington, D.C.

DEAR MR. AMBASSADOR: We are writing to express our concern over the emigration cases of Isaac Bleichner, Natau Fleischer, Samuel Feiden, and Herman Rubinger.

These gentlemen, former employees of the Sov-Rom Wood Corporation, were charged with the misappropriation of several hundred dollars worth of wood nearly three decades ago. It has recently come to my attention that these individuals, now elderly and ailing, have expressed their desire to rejoin their children and grandchildren abroad. .

The granting of amnesty for Bleichner, Fleischer, Feiden, and Rubinger, which would enable them to be reunited with their families, would clearly demonstrate your nations' commitment to the family reunification and emigration provisions of the Helsinki Final Act.

Your personal and prompt consideration of these cases on humanitarian grounds would be greatly appreciated. We look forward to your help.

Sincerely,

STEVEN D. SYMMS,
U.S. Senator,
GEORGE J. MITCHELL,
U.S. Senator,
ROBERT J. DOLE,
U.S. Senator,
ALFONSE D'AMATO,
U.S. Senator,
CHARLES E. GRASSLEY,
U.S. Senator.

Senator DANFORTH. I have a short statement which I am going to put in the record.

The hearing is both with respect to the effect of the Supreme Court decision of *INS* v. *Chadha* on the section 402 of the Trade Act of 1974 relating to the review of MFN status and also with respect to the specific MFN situation, especially Romania.

The first witness is the author of Jackson-Vanik. Senator Jackson, we are delighted you are here.

STATEMENT OF HON. HENRY M. JACKSON, U.S. SENATOR FROM THE STATE OF WASHINGTON

Senator JACKSON. Thank you, Mr. Chairman, Senator Dole.

Mr. Chairman, I appreciate this opportunity to express my support for the President's recommendation for a further extension of the General Waiver Authority pursuant to Section 402(d)(5) of the Trade Act of 1974 and for the continuation of the waivers applicable to the Socialist Republic of Romania, the Hungarian Peoples Republic, and the Peoples Republic of China.

As this committee is aware, section 402 is a milestone effort to encourage respect for the basic human right to emigrate, what is aptly called the life-saving right of last resort.

Tens of thousands of people—Christians, Jews, and others—have been able to emigrate because of the amendment. For thousands of others who want to emigrate, the amendment is still their principal hope. Its provisions constitute vital leverage in the ongoing bargaining for freer emigration—with the Soviets as well as others.

I remind the committee of Governor Reagan's commitment in his letter to me of October 24, 1980, that as President he would faithfully uphold Jackson-Vanik and implement fully the letter and spirit of the freedom of emigration provisions of the 1974 act.

Mr. Chairman, I am not delivering substantial parts of my statement in the interest of time and ask that all of it appear in the record.

I realize that the administration's testimony on the implications of the *Chadha* decision for legislation in the fields of foreign affairs and national security is billed as preliminary views and tentative conclusions. But I am certainly encouraged by the early signs.

Three things are now rather clear. In testimony July 20 to the House Committee on Foreign Affairs, Kenneth Dam indicated that:

> Chadha does not affect statutory requirements for notifications, certifications, findings or reports to Congress, consultations with Congress, or waiting periods which give Congress an opportunity to act before executive actions take effect.

Second, specifically with respect to Jackson-Vanik, the Administration has accepted severability. It indicates it will respect the requirement for the annual review and the annual Presidential report to Congress. It will regard the report as effective to extend the waiver authority, and it will consider the report as effective to continue or end the waivers currently in force.

Third, the administration acknowledges the vital role of Congress, notwithstanding the end of the legislative congressional veto provision. In his July 29 testimony, Deputy Secretary Dam emphasized that:

> Legislative oversight hearings serve the salutary purpose of scrutinizing the implementation of statutory requirements, of airing public concerns, and of making our nation's deep commitment to human rights known to other nations.

For the time being, I believe it is best to take the administration at its word: that it will work constructively with the Congress to preserve the basic integrity of Jackson-Vanik, and to sustain the amendment's role in promoting freer emigration. If experience proves this not to be the case, if we have good reason to be dissatisfied with the performance of the administration, Congress will have to take further counsel on the matter.

The *Chadha* decision has obviously made the annual review and the annual report procedure more indispensable than ever to encourage the countries involved to continue to take with due seriousness congressional concerns regarding their emigration policies and practices. As the record will show, many emigration cases—including difficult ones—are resolved in a reasonable time just because of the annual review and in anticipation of the Congressional hearings.

The legislative oversight hearings are not our only instrument. There can be continuous discussion and consultation with administration officials throughout the year. There can be letters of advice to responsible officials. There is always the sense of the Senate resolution.

Mr. Chairman, I would like at this point to make two specific proposals:

First, I recommend that absent the legislative veto the Finance Committee put the administration on notice that with respect to section 402 of the Trade Act of 1974 the Congress and its appropriate committees intend to exercise their legislative authority through oversight, and that the Finance Committee specifically will exercise that right as necessary and appropriate, not limited only to the consideration of the annual report.

Second, I further recommend that the Finance Committee work out with the administration an informal practice of consultation and of prenotification on the administration's annual report. While this would not be required by law, it could give the Congress—as it presently does in the case of proposed arms sales—the opportunity to comment upon the anticipated findings informally and privately before the Executive submits its formal annual report.

In conclusion, let me just add: The burden of my message this morning is that the *Chadha* decision, far from reducing the role of the Congress in promoting freedom of emigration, requires us to be more on our toes than ever. We will need to be steadily active and involved throughout each year. I am confident that the Congress will rise to that challenge.

Mr. Chairman, I ask that the full text of President Reagan's letter of October 24, 1980 to me be included at the conclusion of my testimony.

Mr. Chairman, I want to commend you and Senator Dole and the others of the committee for their strong support that this committee has always given in connection with this annual review, affecting as it does the hundreds of thousands of people who look to us for backing and help, so many of whom are facing the problems of tyrannical rule.

Senator **DANFORTH**. Senator Jackson, thank you very much.

[Senator Jackson's prepared statement and his letter from then-Governor Reagan follow:]

EXTENSION OF JACKSON-VANIK WAIVER AUTHORITY

Testimony by Senator Henry M. Jackson

Subcommittee on International Trade
Senate Finance Committee
Friday, July 29, 1983 - 9:30 A.M.
Room 215 Dirksen Senate Office Building

Mr. Chairman, I appreciate this opportunity to express my support for the President's recommendation for a further extension of the general waiver authority pursuant to Section 402(d)(5) of the Trade Act of 1974, and for the continuation of the waivers applicable to the Socialist Republic of Romania, the Hungarian People's Republic, and the People's Republic of China.

As this Committee is aware, Section 402 (The Jackson-Vanik amendment) is a milestone effort to encourage respect for the basic human right to emigrate -- what is aptly called "the life-saving right of last resort." As the law of the land, Section 402 prohibits MFN treatment and government credits to nonmarket economy countries until those governments explicitly and clearly commit themselves to freer emigration policies and practices.

The Jackson-Vanik amendment drew its inspiration from Article 13 of the United Nations Declaration of Human Rights -- "the right of everyone to leave any country, including his own, and to return to his country." Indeed, I remind the Committee that the obligation to respect the right to emigrate has been freely undertaken by the signatories of the Declaration of Human Rights, the International Covenants on Human Rights and the Helsinki Accords. In voluntarily joining in these international agreements, the Soviet Union, too, committed itself to honor the right of a person to choose his country of residence.

To encourage a nation to respect its voluntarily assumed commitments is not intervention in their internal affairs. It is precisely in the name of the freely accepted obligation of a nation under international law that we expect it to honor the right to emigrate.

Tens of thousands of people -- Christians, Jews and others -- have been able to emigrate because of the Jackson-Vanik amendment. For thousands of others who want to emigrate, the amendment is still their principal hope. Its provisions constitute vital leverage in the ongoing bargaining for freer emigration -- with the Soviets as well as others.

Just this year, thanks to the Jackson-Vanik amendment, we overcame a serious episode in our relations with Romania. President Ceausescu assured President Reagan that his government will no longer require reimbursement to the State of education costs as a precondition to emigrate, and that they will not create economic or procedural barriers to emigration.

Andrei Sakharov had put the matter eloquently in an extraordinary "open letter" to the Congress on September 14, 1973. He urged adoption of the Jackson-Vanik amendment, saying: "The Amendment does not represent interference in the internal affairs of socialist countries, but simply a defense of international law, without which there can be no mutual trust." He told us that if the United States abandoned the "principle" of emigration, it would be "a betrayal of the thousands of Jews and non-Jews who want to emigrate, of the hundreds in camps and mental hospitals, of the victims of the Berlin Wall."

I also remind the Committee of Governor Reagan's commitment in his letter to me of October 24, 1980, that as President he would faithfully uphold Jackson-Vanik and implement fully the letter and spirit of the freedom of emigration provisions of the 1974 Trade Act.

The Administration's recommendation to continue in effect the waiver authority is welcome. That authority constitutes a significant means for strengthening mutually constructive relations between certain of the East European countries and the People's Republic of China. The waiver authority has allowed the United States to reach and to continue in force bilateral trade agreements with Romania, Hungary and China. As President Reagan has said: "These agreements continue to be fundamental elements in our political and economic relations with those countries, including our important productive exchanges on human rights and emigration matters." Furthermore, continuation of the waiver authority could make possible the mutual strengthening of our bilateral relations with other nonmarket economy countries, as favorable chances may develop.

I realize that the Administration's testimony on the implications of the Chadha decision for legislation in the fields of foreign affairs and national security is billed as "preliminary views" and "tentative conclusions."

But I am encouraged by the early signs. Three things are now rather clear. In testimony July 20 to the House Committee on Foreign

Affairs, Kenneth Dam indicated that "Chadha does not affect statutory requirements for notifications, certifications, findings or reports to Congress, consultations with Congress, or waiting periods which give Congress an opportunity to act before executive actions take effect."

Secondly, specifically with respect to Jackson-Vanik, the Administration has accepted "severability." It indicates it will respect the requirement for the annual review and the annual Presidential report to Congress. It will regard the report as effective to extend the waiver authority, and it will consider the report as effective to continue or end the waivers currently in force.

Thirdly, the Administration acknowledges the vital role of Congress, notwithstanding the end of the legislative Congressional veto provision. In his July 29 testimony, Deputy Secretary Dam emphasized that "legislative oversight hearings serve the salutary purpose of scrutinizing the implementation of statutory requirements, of airing public concerns, and of making our nation's deep commitment to human rights known to other nations."

It is possible that Chadha will make the Administration more, not less, conscious that they are accountable to the Congress for their actions and that they are dependent on Congress for continuing help in encouraging respect for the assurances on freer emigration required under Jackson-Vanik.

Our motto should be: "We'll see."

For the time being, I believe it is best to take the Administration at its word: that it will work constructively with the Congress to preserve the basic integrity of Jackson-Vanik and to sustain the amendment's role in promoting freer emigration. If experience proves this not to be the case, if we have good reason to be dissatisfied with the performance of the Administration, Congress will have to take further counsel on the matter.

In short, I am advising that we not try to open up Jackson-Vanik to revision in an effort to find some statutory substitute for the "legislative veto." For one thing, any radical move is premature since Chadha is not likely to be the final word of the Supreme Court on this issue; there may be other decisions ahead, and different decisions. Furthermore, the suggestion made by some that we try to give Congress the waiver authority -- by joint resolution, passed by both houses, requiring the signature of the President, and a two-thirds vote in each House to override a veto -- would surely make the waiver process enormously time-consuming, and so unwieldly as to be virtually unworkable. Beyond this, we are treading on dangerous ground in opening up the Jackson amendment to modification. It took us two years to get this pioneer legislation passed; there are still some who would use any opening to try to wipe the amendment off the books or, on the other hand, to so load it up with further conditions for granting the waiver, that it would lose its usefulness in further bargaining for freer emigration with nonmarket economy countries, including the Soviet Union.

Leave well enough alone for now is my recommendation. And at the same time, let the Congress take advantage of the many ways in which it can play its part in encouraging accountability of the Executive to the Congress in implementing Section 402 and in helping the Executive promote the purposes of Jackson-Vanik.

The Chadha decision has obviously made the annual review and annual report procedure more indispensable than ever to encourage the countries involved to continue to take with due seriousness Congressional concerns regarding their emigration policies and practices. As the record will show, many emigration cases -- including difficult ones -- are resolved in a reasonable time just because of the annual review and in anticipation of the Congressional hearings.

The legislative oversight hearings are not our only instrument. There can be continuous discussion and consultation with Administration officials throughout the year. There can be letters of advice to responsible officials. There is always the sense of the Senate resolution.

Mr. Chairman, I would like at this point to make two specific proposals:

First: I recommend that absent the legislative veto the Finance Committee put the Administration on notice that with respect to Section 402 of the Trade Act of 1974 the Congress and its appropriate Committees intend to exercise their legislative authority through oversight, and that the Finance Committee, specifically, will exercise that right as necessary and appropriate not limited only to consideration of the annual report.

Two: I further recommend that the Finance Committee work out with the Administration an informal practice of consultation and of prenotification on the Administration's annual report. While this would not be required by law, it could give the Congress -- as it presently does in the case of proposed arms sales -- the opportunity to comment upon the anticipated findings informally and privately before the Executive submits its formal annual report.

In conclusion, let me just add: the burden of my message this morning is that the *Chadha* decision, far from reducing the role of Congress in promoting freedom of emigration, requires us to be more on our toes than ever. We will need to be steadily active and involved throughout each year. I am confident the Congress will rise to that challenge.

Mr. Chairman, I ask that the full text of President Reagan's letter of October 24, 1980, be included at the conclusion of my testimony.

RONALD REAGAN

October 24. 1980

The Honorable Henry M. Jackson
137 Russell Senate Office Building
Washington, D. C. 20510

Dear Senator Jackson:

Thank you for your letter of October 2, 1980, to which I am pleased to reply.

I have supported the legislation, now public law, known as the Jackson-Vanik Amendment. I believe that it was right and proper to link trade concessions to the Soviet Union with significant movement toward free emigration.

As President I would implement fully the letter and the spirit of the freedom of emigration provisions of the 1974 Trade Act. We would seek to make it clearly understood that we will uphold the law, and that we will make no effort to modify the Jackson-Vanik Amendment.

Fine words about human rights are one thing; action is another. The Congress took concrete action in passing the Jackson-Vanik Amendment; its effect has been blunted by holding out the hope to the Soviets that it might be modified or repealed.

I am proud indeed of the extraordinary bravery of those seeking to emigrate from the Soviet Union. The Soviet Jews in particular have shown the world what courage and the determination to be free can mean even for men and women who could be imprisoned as a result of their desire to emigrate.

You have my assurance that I will work together with you in support of these brave people.

Sincerely,

Ronald Reagan

RONALD REAGAN

901 South Highland Street, Arlington, Virginia 22204

Paid for by Reagan Bush Committee. United States Senator Paul Laxalt, Chairman. Bay Buchanan, Treasurer.

Senator DANFORTH. Senator Dole.

Senator DOLE. I have no questions. We appreciate not only your testimony but also your continuing interest and your leadership in this area, Senator Jackson. We are pleased to have you before the committee.

Senator JACKSON. Thank you very much.

Senator DANFORTH. Senator Jackson, thank you. There is no doubt in my mind that Jackson-Vanik has meant the difference between liberty and the opposite of liberty for many, many people, and this committee is going to continue to operate very agressively in this area.

It is my view that, with respect to the *Chadha* decision, the whole question of international trade is somewhat different in that, as I understand the Constitution, the Congress is given express responsibility over foreign commerce, and therefore the administration's role is one of delegated responsibility given to it by the Congress in the first place. Therefore, I think that the Congress is free to do its will with respect to international trade and with respect to conditioning the trade status of other countries on emigration policies.

So we will continue to be very active in this area, and you are the man who set us out on this road.

Senator JACKSON. Well, we have tried at this end to help, but without your support, the support of the Finance Committee on the Senate side, we would not have been able to achieve what I think is a reasonably good record up to date. Thank you very much.

Senator DANFORTH. Thank you.

Senator Dole.

Senator DOLE. Thank you, Mr. Chairman. I have another hearing that I need to start in about 10 minutes. I will be back, but I wanted to include my statement in the record

Just to summarize: Our review of the President's determination regarding extension of most-favored-nation status to Hungary, Romania, and the People's Republic of China must take account of the Supreme Court's *Chadha* decision. That decision has affected the balance embodied in title IV of the 1974 Trade Act between the Congress and the President. These hearings present an opportunity to review in light of the Supreme Court's decision and the congressional role under title IV to consider how we might promote more effectively the human rights cause in the Soviet bloc.

Mr. Chairman, I am convinced that Congress must retain an effective role in the promotion of human rights in these countries, including the freedom to emigrate. In my dual capacity as both Finance Committee chairman, and Helsinki Commission Cochairman, I have witnessed the important role played by the Congress in improving the lot of literally millions of people of the totalitarian East and in reducing the barriers to emigration for thousands who choose to leave their native lands in pursuit of better lives for themselves and their loved ones in the West.

I do not deceive myself in thinking that our role has eliminated abuses of human rights or even that the role of Congress has been the decisive factor; but who can doubt that our efforts and our role as reflected in the 1974 Trade Act have been a significant factor in helping those in the totalitarian East who cannot help themselves?

However, while we can be pleased that there are no serious emigration issues with respect to Hungary or China, and we can be proud of our role in helping those wishing to emigrate from Romania, our success in promoting freedom of emigration from the Soviet Union at best is mixed. I am attaching an article by Edgar Bronfman, the president of the World Jewish Congress, which raises just this question and one by Dr. William Koreg of B'nai B'rith which takes an opposing view.

The *Chadha* decision comes at a time when we may wish to review our approach to the promotion of human rights and the freedom to emigrate in the Soviet Union and the other Eastern bloc countries. I would just suggest now that as helpful as the Jackson-Vanik amendment has been, there are some signs that it may at this point at least need review, maybe some modification, maybe some change—because the number of people leaving the Soviet Union has been on a rather sharp decline in the past few years. Perhaps the signal yesterday of renewed trade between the Soviet Union and the United States, the signing of long-term "grain agreement," may be an indication that there may be another approach that should be properly addressed. I am hopeful that later on this year—in the next 2 or 3 months—we can focus on MFN and the Soviet Union and whether or not we should take another look at Jackson-Vanik and make some determination on whether or not there should be changes in it.

In any event, we are seeing not only words but signs of a better relationship with Romania. We continue to have success in Hungary.

Finally, I think it is fair to note that each year at the time of these hearings there is a notable surge in emigration from Romania. Of course, we are pleased to see that they have sustained a rather high emigration level, and we hope that that will continue. We know that there has been an exchange of letters on emigration between our presidents, and we will hear from the State Department and other witnesses about this.

So I thank you, Mr. Chairman, for calling these hearings this morning.

Senator **Danforth**. Thank you, Senator Dole.

The first panel will be Mr. Palmer, Mr. Anderson, Mr. Vargo, and Mr. Spitzer.

I'm sorry, I've got Mr. Spitzer in the wrong list; he is appearing next. This panel is Mr. Palmer, Mr. Anderson, and Mr. Vargo.

Mr. Palmer?

STATEMENT OF MARK PALMER, DEPUTY ASSISTANT SECRETARY OF STATE FOR EUROPEAN AFFAIRS, AND MICHAEL MATHESON, DEPUTY LEGAL ADVISER

Mr. **Palmer**. Thank you, Mr. Chairman.

Members of the committee, I am pleased to be here today with Mr. Anderson, Director of the Office of Chinese Affairs, to testify on the determinations made by the President to extend his waiver authority under the Jackson-Vanik amendment. Mr. Anderson and I will concentrate our remarks on the substantive aspects of the

President's determinations, and in particular on the emigration performance of the affected countries.

If the committee has questions concerning the legal effects of the recent Supreme Court legislative veto decision on the operation of the Jackson-Vanik provisions, Mr. Michael Matheson, Deputy Legal Adviser of the Department is here today and would be pleased to respond to such questions.

I will abbreviate my statement, Mr. Chairman, and submit for the record the full statement.

Continued MFN treatment for Romania and Hungary should be viewed within the context of our policies toward the countries of Eastern Europe. Although these countries share similar political and economic systems, the great diversity of their history, culture, and ethnic composition remains.

The U.S. policy through successive administrations has been to deal with Eastern European countries as separate and distinct entities, to support their national aspirations, and to encourage foreign policy independence and observance of human rights.

We do not ignore or downplay the numerous disagreements especially regarding human rights which we have with the countries of the area; however, we seek to improve relations with those governments which demonstrate the desire and ability to reciprocate. We also expect those governments which desire the benefits of improved relations with the United States to play a constructive role in international affairs and to meet their human rights commitments.

Within this broad context, I will now turn to Romania and Hungary.

At this time last year, Romania's serious economic crisis was a preoccupation for them. Now the worst of Romania's current economic and financial difficulties appear to be past, although longer term problems remain. Through aggressive efforts to increase exports and continuing stringent controls on imports, Romania attained a trade surplus of $1.5 billion in 1982. The rescheduling of private and government debts in 1982-83 has helped make Romania's debt problems more manageable. The medicine has been strong, and the effects on the internal economy severe; but Romania is tackling its economic problems in a serious manner.

Despite the problems it has faced, Romania in 1982 continued to take positions different from those of the Soviet Union on a number of foreign policy issues and to pursue diversity in its trade and economic relations. It remains our policy to support Romania's efforts to enhance its economic autonomy and to encourage independence in its foreign policy and greater responsiveness on human rights and emigration.

The main focus of today's hearing where Romania is concerned is that country's emigration performance. The President's determination that continuation of the waiver permitting MFN tariff treatment for Romania will substantially promote freer emigration takes into account the number of emigrants receiving permission to leave Romania as well as the manner in which intending emigrants are treated. Our primary interest is to insure that individual Romanians are free to emigrate, provided that other countries are prepared to receive them.

Overall emigration from Romania in 1982 reached its highest level in many years. Over 15,000 people received visas for emigration to the United States, Israel, and the Federal Republic of Germany from the embassies of those three countries in Bucharest. In the case of the United States at least, the Romanian Government approved considerably more people for departure than we were able to accept during 1982. The emigration levels to the United States, Israel, and the Federal Republic of Germany for the first 5 months of 1982 were slightly higher than for the same period last year.

At the same time, the Romanian Government announced on October 22, 1982, a decree under which all emigrants were to be required, inter alia, to repay in convertible currency the costs of their education and training beyond the compulsory level before they could leave. We made clear to the Romanians from the outset that the decree was contrary to the letter and spirit of the Jackson-Vanik amendment. Extensive bilateral discussions took place this spring leading to the understanding between Presidents Reagan and Ceausescu referred to in the President's transmittal message to Congress on MFN.

Since then, the Romanian Government has stopped requiring emigrants to any destination to repay their education costs as a precondition to emigration and has undertaken not to create economic or procedural barriers to emigration.

We welcome these steps, which—together with Romania's substantial number of emigration approvals—serve as the basis for the President's determination. We, of course, expect the nonapplication of the education tax to continue indefinitely.

We do not expect all problems with Romania's performance in emigration to disappear immediately; however, there has been progress, and we believe that the continuation and strengthening of the existing framework of bilateral economic and political relations with Romania offer the best possibilities for further progress and for resolving whatever difficulties do arise. It will enhance our ability to intervene successfully on behalf of the highest priority emigrants, those who could receive permission promptly to enter the United States once their exit had been approved. We will be giving particular emphasis to such cases over the coming months.

Let me now turn briefly to Hungary. The United States-Hungarian relationship has shown steady improvement over the last several years. We have been able to maintain a constructive and frank political dialog that has enabled our two countries to better understand and communicate with each other.

The Hungarian Government continues to take a cooperative approach toward emigration. All of the official divided-family cases which we have raised have now been resolved—and I might add that that includes some very difficult ones. While Hungarian law grants permanent departure rights only to those over the age of 55, in practice the majority of those applying to emigrate receive permission reasonably quickly and easily.

Trade is a central element in our relations with Hungary, and the extension of MFN tariff treatment in 1978 has been a significant factor in the development of our bilateral trade and financial ties. Although total U.S. trade with Hungary was down slightly last year due to the global recession and financial difficulties in many Eastern European countries, Hungary avoided the severe economic and financial problems experienced by some of its neighbors.

Hungary has agreed to reciprocal reductions in tariffs, which have increased export opportunities for U.S. firms. In addition, Hungary has formally adhered to many of the multilateral codes on nontariff trade barriers and the international arrangement negotiated during the Tokyo round.

We believe that MFN has been beneficial to the United States as well as to Romania and Hungary. While problems still exist to a greater or lesser degree in the emigration area, it is clear that there has been significant progress in both countries on emigration since MFN was first granted. With the continuation of MFN, we believe that further progress will be possible.

Thank you, Mr. Chairman.

Senator **DANFORTH**. Thank you, Mr. Palmer.

[Mr. Palmer's prepared statement follows:]

STATEMENT FOR DEPARTMENT OF STATE SPOKESMAN

Mr. Chairman, I welcome this opportunity to testify for the Administration concerning the extension of the President's waiver authority under section 402 of the Trade Act of 1974 and continuation of the specific waivers permitting Most-Favored-Nation (MFN) tariff treatment for Romania, Hungary and China. In my testimony today I will address the waivers for Romania and Hungary, while Mr. Anderson, my State Department colleague, will discuss the waiver for China.

Continued MFN treatment for Romania and Hungary should be viewed within the context of our policies toward Eastern Europe as a whole. Despite certain important similarities among the countries of this region, the differences among them are significant and may become more so. Although all of these countries share similar political and economic systems, imposed from the outside after World War II, and belong to the same military and economic organizations, the great diversity of their history, geography, languages, culture, religion and ethnic composition remains. Each has maintained a strong sense of national pride and, despite strong pressures to submerge their independent character, each frequently has found means to express its national identity, both at home and in its foreign relations. It has been the policy of the United States through successive administrations to deal with the countries of Eastern Europe as separate and distinct entities, and to support their aspirations to achieve their national destinies.

In pursuing our policies in Eastern Europe we do not ignore or downplay the numerous disagreements we have with the countries of the area. In particular, we have maintained our commitment to speak out concerning the many violations and abuses of human rights in the region. Our policies toward Eastern Europe do, however, take into account the diversity among the separate national entities and the forces for change, as well as the forces striving to maintain the status quo. We seek to improve relations with those governments which demonstrate both the desire and the ability to reciprocate. We also expect that the governments of Eastern Europe countries which desire the benefits of improved relations with the United States, particularly in the economic area, will play a constructive role in international affairs and be prepared to meet their international commitments in the human rights field.

Within the broad context I have outlined, I will now turn to Romania and Hungary.

At this time last year a major preoccupation concerning Romania was that country's serious economic crisis. Like many other countries in Eastern Europe and elsewhere, Romania was facing severe external debt problems at a time when demand for its exports had fallen, due in part to the sluggishness of the international economy as a whole. The tight financial situation made it difficult for Romania to meet its foreign obligations in a timely manner and resulted in severe constraints on imports, for industry as well as for the consumer.

A year later, it can be said that the worst of Romania's current economic and financial difficulties appears to be past, although longer-term problems remain.

Through aggressive efforts to increase exports and continuing stringent controls on imports, Romania was able to attain a trade surplus of $1.5 billion and a current account surplus of about $659 million in 1982. The rescheduling of private and government debts in 1982 and 1983 has helped make Romania's debt problems more manageable. The medicine has been strong and the effects on the internal economy, including the long-suffering consumer, severe, but we are encouraged by Romania's willingness to tackle its economic problems in a serious manner and by the progress that has been made.

Despite the problems it has faced, Romania in 1982 continued to take positions different from those of the Soviet Union on a number of foreign policy issues and to pursue diversity in its trade and economic relations. It remains our policy to support Romania's efforts to enhance its economic autonomy, and to encourage independence in its foreign policy and greater responsiveness on human rights and emigration, including the sensitive issues of family reunification. In this regard, we are pleased to note that at the Madrid CSCE Review Meeting Romania recently endorsed a number of Western suggestions for improvements to the Neutral and Nonaligned draft concluding document, including the proposal to convene an experts meeting on human contacts.

The main focus of today's hearing where Romania is concerned is that country's emigration performance. The President's determination that continuation of the waiver permitting MFN tariff treatment for Romania will substantially promote freer emigration, as required under the Trade Act of 1974, takes into account the number of emigrants who have received permission to leave Romania as well as the manner in which all those who seek to emigrate are treated. Our primary interest is in ensuring that individual Romanians are free to emigrate, provided that other countries are prepared to receive them. This is fully consistent with the provisions of the Universal Declaration on Human Rights and the Final Act of the Conference of Security and Cooperation in Europe, both of which Romania signed.

Overall emigration from Romania in 1982 reached its highest level in many years. Over 15,000 people received visas for emigration to the United States, Israel, and the Federal Republic of Germany from the embassies of those three countries in Bucharest—2,381 for the U.S., 1,474 for Israel and 11,546 for the FRG. Romania, as you are aware, is the only Warsaw Pact country which maintains diplomatic relations with Isreal. In the case of the U.S. at least, the Romanian Government approved considerably more people for departure than we were able to accept during 1982. Smaller numbers of people left for other countries. The emigration levels to the U.S., Israel and the FRG for the first five months of 1983 are slightly higher than for the same period last year.

At the same time, the Romanian Government announced on October 22, 1982, a decree under which all emigrants were to be required inter alia, to repay, in convertible currency, the cost of their education and training beyond the compulsory level before they could leave. We made clear to the Romanians from the outset that the decree was a serious impediment to emigration and contrary to the letter and spirit of the Jackson-Vanik Amendment. Implementation of the decree began in February, 1983. On March 4, the President announced his intention to terminate MFN on June 30 if Romania did not cease applying the education tax by that date. In the following months, extensive bilateral discussions took place leading up to the understanding between President Reagan and President Ceausescu referred to in the President's transmittal message to Congress on MFN and which went into effect at the beginning of June.

In connection with that exchange, the Romanian Government has stopped requiring emigrants to any destination to repay their education costs as a precondition to emigration. We have confirmed through our Embassy in Bucharest and other Embassies there that no one has been required to pay or has paid since the beginning of June. The Romanian Government also reaffirmed that it would continue to solve humanitarian problems on the basis of reciprocal trust and good will and undertook not to create economic or procedural barriers to emigration. In addition, the Romanian Government stated that applications for emigration currently are being processed within six months and that those who apply for emigration are not subjected to any kind of discrimination by the authorities. The United States welcomes these reported steps which, together with Romania's substantial number of approvals for emigration to Israel and other countries, serve as the basis for the President's determination. We, of course, expect the non-application of the education tax to continue indefinitely. However, should it be reimposed at any time, the Romanian Government is fully aware that such an action would result to the prompt termination of MFN by the President.

The Romanian Government has also indicated its willingness to continue bilateral discussions on the question of emigration procedures. It is our hope that in view of the above factors, the way will now be open to further progress in emigration, human rights and other areas of mutual interest and concern. The fact that the Romanian Government recently has reached understandings on emigration with the FRG and Israel which both of those countries consider satisfactory is another important, positive sign. We do not expect that all problems with Romania's performance in emigration will disappear immediately. However, there has been progress and we believe that the continuation and strengthening of the existing framework of bilateral political and economic relations with Romania offers the best possibilities for further progress and for resolving in a satisfactory manner whatever difficulties do arise. It will enhance our ability to intervene successfully on behalf of the highest priority emigrants, those who have immediate family in the United States or who could otherwise receive permission promptly to enter the U.S. once their exits had been approved. Over the coming months we will be giving particular emphasis to such cases, which appear on our Embassy's quarterly representation list.

Let me now turn to Hungary. The US-Hungarian relationship has shown steady improvement over the last several years. We have been able to maintain a constructive and frank political dialogue that has enabled our two countries to better understand and communicate with each other. Not only Administration officials but also Congressional leaders have participated in exchanges between Washington and Budapest. We believe that these direct, personal contacts are important in the development of mutual understanding and the dispersion of possible residual prejudices.

The Hungarian Government continues to take a cooperative approach toward emigration applications. All of the official divided family cases which we have raised have now been resolved. While Hungarian law restricts permanent departure rights to persons over the age of 55, in practice the majority of Hungarians who do apply to emigrate receive this permission reasonably quickly and without great difficulty. We follow this human rights issue very closely and the Hungarian Government is fully aware of our concerns on this and other related matters.

Trade is a central element in our relations with Hungary, and the extension of Most-Favored-Nation (MFN) tariff treatment in 1978 has been a significant factor in the development of our bilateral trade and financial ties. Although total U.S. trade with Hungary was down slightly last year (from $206 million in 1981 to $201 million in 1982) due to the global recession and financial difficulties in many Eastern European countries, Hungary avoided the severe economic and financial problems experienced by some of its neighbors. In large part Hungary's relative success was due to its continuation of economic reforms which increased reliance on market forces and decentralization of management along with greater participation in the international financial order as Hungary became a member of the International Monetary Fund and the World Bank. The Administration, therefore, supports the continuation of Hungary's MFN tariff status.

Hungary, for its part, has agreed to reciprocal reductions in tariffs, which have increased export opportunities for U.S. firms. In addition, Hungary has formally adhered to many of the multilateral codes on non-tariff trade barriers and the international arrangement negotiated during the Tokyo round.

We believe that MFN has been beneficial to the United States as well as to Romania and Hungary. While problems still exist in the areas of emigration and human rights, it is clear that there has been significant progress in both countries in these areas since MFN was first granted. With the continuation of MFN, we believe that further progress will be possible. Conversely, the termination of MFN would serve neither the cause of free emigration nor of human rights.

STATEMENT OF DONALD M. ANDERSON, DIRECTOR, OFFICE OF CHINESE AFFAIRS, DEPARTMENT OF STATE

Mr. ANDERSON. Thank you, Mr. Chairman.

I welcome this opportunity to testify before this subcommittee as part of an administration panel concerning the extension of the President's general waiver authority under section 402(c) of the Trade Act and continuation of the specific waivers permitting most-favored-nation treatment to China, Hungary, and Romania.

My colleague Mr. Palmer has already addressed the waiver for Hungary and Romania. I will have a brief statement which will address the waiver for China.

In the past several years, U.S. bilateral ties with China have expanded exponentially. Our economic relations have been at the forefront of this process. A series of economic agreements—trade, grains, claims/assets, civil aviation and maritime affairs, among others—form the basis for these relations and provide a framework for further development of economic contacts. We are currently working on additional agreements concerning bilateral investment, taxes, and industrial and technical cooperation.

Trade figures illustrate the importance of our trade with China. Two-way trade in 1982 amounted to $5.2 billion, a fivefold increase over 1978, with a favorable surplus to the United States of some $600 million. Since 1978, trade with China has resulted in a cumulative U.S. trade surplus of about $7 billion. Last year China was our largest market for wheat and our sixth largest customer worldwide for agricultural products. Overall, China is the United States 20th world trading partner—taking the European Community countries separately—while we are China's third largest trading partner after Japan and Hong Kong.

Opportunities for joint ventures continue to grow, particularly in the field of energy and natural resources. Fifteen U.S. companies are in various stages looking to participation in oil exploration in the South China Sea. Close to 100 U.S. firms maintain permanent offices in China, and many others support substantial business dealings with China from Hong Kong and Tokyo. The recent Presidential decision to raise the level of high technology goods licensed for export to China can only further promote trade opportunities. The prospects for future growth in our economic relations are excellent.

A stable and expanding trade and investment relationship between the United States and China contributes to strong cooperative ties across the board. Such ties are a key component in China's plans to modernize its economy, with the help of Western goods and ideas.

In addition, the broad range of official and unofficial exchanges between the two countries helps promote stronger relations. For example, there are 21 U.S. media organizations with offices in Beijing, 73 U.S. banks with a correspondent relationship with the Bank of China, more than 80 U.S. universities with formal affiliation with Chinese schools, and more than 20 U.S. States and cities now have sister relationships with their Chinese counterparts. At the same time, over 100 Chinese delegations visit the United States each month, and American tourists to China numbered over 120,000 last year. In the long run, a secure, stable, and economically healthy China is an essential element for peace and stability in Asia.

China's determination to carry out its modernization plans with Western support has been accompanied by moves toward liberalization in the areas of human rights and emigration. Travel restrictions have been relaxed and simplified for both immigrants and short-term travelers. There are currently approximately 10,000 Chinese students and scholars in this country. In addition, some 11,000 business visas were issued to Chinese citizens. Our China posts issued over 9,500 immigrant visas. There are over 60,000 Chinese with approved visa petitions waiting for their turn to immigrate to the United States. Another 55,000 persons immigrated to Hong Kong last year. This latter number is expected to decline in the future, largely due to pressure from Hong Kong authorities to reduce the flow of immigrants into the overcrowded colony.

China's commitment to more liberal emigration practices is reflected in the Bilateral United States-China Consular Convention, which has now been in effect for over 1 year. The notes accompanying the Convention specifically encourage travel facilitation for the purpose of family reunification. In addition, both countries agreed to facilitate travel between the countries of those persons with simultaneous claims to the nationality of the United States and the People's Republic of China. This is not to say that Chinese emigration is problem-free. China, like many developing countries, is concerned about a potential brain drain. Current regulations restrict foreign study by Chinese university students until they complete their Chinese education and work for 2 years. In addition, local work units are slow to approve departure, and officials are sometimes reluctant to issue passports and exit permits to persons whose emigration might create gaps in modernization efforts. There is no evidence, however, that China has inhibited the emigration of those with legitimate family ties abroad, although many encounter delays in obtaining passports and exit permits.

The principal obstacle to emigration from China remains the limited ability or willingness of other countries to receive the large numbers of people able and willing to immigrate. In the case of the United States, our numerical limitation on immigrants from each country cannot keep up with the Chinese demand. For example, applications for fifth preference immigration—siblings of U.S. citizens—stretch back to 1978, implying at least a 5-year wait for applicants in this category.

Trade is a fundamental component of China's modernization effort and its efforts to join the community of nations. Mutual benefit and most-favored-nation treatment in all aspects of our trading relations are vital to continued expansion of our bilateral ties. The administration strongly believes that the continuation of MFN status for China is vital to our foreign policy interests.

Thank you, Mr. Chairman.

Senator DANFORTH. Thank you very much, Mr. Anderson.

[The prepared statement of Donald M. Anderson follows:]

TESTIMONY BY DONALD M. ANDERSON
DIRECTOR, OFFICE OF CHINESE AFFAIRS
DEPARTMENT OF STATE
BEFORE THE
INTERNATIONAL TRADE SUBCOMMITTEE
SENATE FINANCE COMMITTEE
JULY 29, 1983

Dear Mr. Chairman:

I welcome this opportunity to testify before this subcommittee as part of an Administration panel concerning the extension of the President's general waiver authority under Section 402(c) of the Trade Act and continuation of the specific waivers permitting most-favored-nation (MFN) treatment for China, Hungary, and Romania. My colleague, Mr. Palmer, has already addressed the waiver for Hungary and Romania. My testimony will address the waiver for China.

In the past several years, US bilateral ties with China have expanded exponentially. Our economic relations have been at the forefront of this process. A series of economic agreements -- trade, grains, claims/assets, civil aviation and maritime affairs, among others -- form the basis for these relations and provide a framework for further development of economic contacts. We are currently working on additional agreements concerning bilateral investment, taxes, and industrial and technical cooperation.

Trade figures illustrate the importance of our trade with China. Two way trade in 1982 amounted to $5.2 billion -- a five fold increase over 1978 -- with a favorable surplus to the US of some $600 million. Since 1978 trade with China has resulted in a cumulative US trade surplus of about $7 billion. Last year China was our largest market for wheat and our sixth largest customer world-wide for agricultural products. Overall, China is the United States' twentieth world trading partner (taking the European Community countries separately), while we are China's third largest trading partner, after Japan and Hong Kong.

Opportunities for joint ventures continue to grow, particularly in the field of energy and natural resources. Fifteen US companies are in various stages looking to participation in oil exploration in the South China Sea. Close to 100 US firms maintain permanent offices in China and many others support substantial business dealings with China from Hong Kong and Tokyo. The recent Presidential decision to raise the level of high technology goods licensed for export to China can only further promote trade opportunities. The prospects for future growth in our economic relations are excellent.

A stable and expanding trade and investment relationship between the US and China contributes to strong cooperative ties across-the-board. Such ties are a key component in China's plans to modernize its economy with the help of Western goods and ideas. In addition, the broad range of official and unofficial exchanges between the two countries helps promote stronger relations. For example, there are 21 US media organizations with offices in Beijing, 73 US banks with a correspondent relationship with the Bank of China, more than 80 US universities with formal affiliation with Chinese schools, and more than 20 US states and cities have sister relationships with their Chinese counterparts. At the same time, over a hundred Chinese delegations visit the US each month, and American tourists to China numbered over 120,000 last year. In the long run a secure, stable, and economically healthly China is an essential element for peace and stability in Asia.

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efforts. There is no evidence, however, that China has inhibited the emigration of those with legitimate family ties abroad, although many encounter delays in obtaining passports and exit permits.

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STATEMENT OF EUGENE K. LAWSON
DEPUTY ASSISTANT SECRETARY
FOR EAST ASIA AND PACIFIC
BEFORE
THE INTERNATIONAL TRADE SUBCOMMITTEE
OF
SENATE FINANCE COMMITTEE

INTRODUCTION

I am pleased to testify today before this Committee on the continuation of MFN status for China. Since the granting of MFN tariff treatment to China, our bilateral trade has developed rapidly. The Administration believes that U.S. economic and foreign policy objectives will be further advanced by the continuation of MFN status for China. My remarks today will focus on developments in our commercial relations during the past year.

U.S.-PRC Trade Status

After reaching a peak of $5.5 billion in 1981 bilateral trade declined slightly in 1982 to $5.2 billion. The slowdown is largely a result of bumper Chinese harvests which cut into purchases of U.S. agricultural products. Also, China's continuing emphasis on economic readjustment held down purchases of U.S. capital goods. U.S. exports fell 19 percent to $2.9 billion in 1982, while imports grew 20 percent to $2.3 billion. As a result, the U.S. trade surplus declined from $1.7 billion in 1981 to $628 million last year. Despite the overall decrease in bilateral trade, China last year was our nineteenth largest export market and ranked twenty-first among our trading partners worldwide.

The composition of U.S.-China trade continued to change during 1982, with U.S. non-agricultural exports accounting for a larger share (54%) than ever before. Increases came in nearly every category, with major gains in exports of logs and lumber, fertilizers, copper, and machinery and equipment (See table 3). U.S. imports from China also were dominated by non-agricultural items with substantial increases in crude petroleum and petroleum products, chemicals, metal manufactures, and clothing (See Table 4).

Status of Commercial Relations

Despite accumulating tensions in the political relationship and strains stemming from Chinese dissatisfaction with a number of U.S. policies, principally export controls and restraints on Chinese textiles, considerable progress was made this year in expanding commercial ties.

It is apparent that China continues to place a high value on trade and investment relations with the United States. For example, the American Motors Corporation recently signed a joint venture agreement to manufacture vehicles in China. The agreement to develop a major coal mine signed by Occidental Petroleum will be the largest joint venture concluded with a foreign firm to date.

During the past year negotiations with U.S. firms for offshore oil contracts potentially worth billions of dollars proceeded smoothly. Last year, Arco was awarded a contract to explore for oil in the South China Sea. Fifteen other U.S. firms are in various stages of negotiations.

Progress was also made in advancing government-to-government cooperation to expand trade. Last September we signed Annex II to the U.S.-PRC Hydropower Protocol. This cooperative effort focuses on priority Chinese hydropower projects and provides for heavy involvement of the U.S. private sector.

Efforts to complete the framework for bilateral economic relations progressed, with negotiations begun on a treaty to avoid double taxation and a bilateral investment treaty. Negotiations on a new Maritime Agreement are also underway. We are hopeful that the next round of negotiations, scheduled for later this month, will be successful in concluding a new Textile Agreement.

The commitment of both countries to continue to develop and expand our commercial relations was reaffirmed by the renewal in February of the bilateral Trade Agreement. After a thorough review of its implementation over the past three years, both sides concluded that despite some outstanding problems, the Agreement has provided an effective basis for promoting mutually beneficial trade relations.

The continuation of a high level dialogue between U.S. and Chinese economic and trade officials in the past year has made a significant contribution to the development of mutual understanding of each country's concerns. Last December, the U.S.-China Joint Economic Committee met in Washington to review a broad range of issues in bilateral economic relations. The Joint Science and Technology Commission, which met in Beijing in May, examined progress in 17 cooperative programs being undertaken under the umbrella S&T Agreement. Four additional protocols were signed bringing the total to 21.

Also in May, the Joint Commission on Commerce and Trade co-chaired by Secretary Baldrige and Trade Minister Chen Muhua held its first session. The Commission discussed a broad range of trade matters, including trade policy, cooperation in industrial fields, and trade related legal and regulatory matters. The discussions took place in a remarkably cordial and cooperative atmosphere, and initiated a number of programs which will give new momentum to our trade relations.

During his meetings with Chinese leaders, Secretary Baldrige conveyed the President's decision to expand the transfer of technology to China. The decision to move China from category P to category V under U.S. Export Administration regulations will be put into effect over the coming months after intensive technical review and consultation with our allies. The move is intended to emphasize that sales to China should take place on a similar basis as to other friendly countries while taking into account our national security concerns. We see this as a significant step in promoting the United States' contribution to China's modernization program, and expect it to result in a sizeable increase in U.S. sales.

During the Secretary's visit we also reached agreement in principle to negotiate a bilateral agreement on industrial cooperation. We expect this agreement to enhance U.S. industry's competitive edge in bidding on China's major projects by providing early information on projects while they are still in the planning stage.

The U.S.-China commercial relationship has been a dynamic one, surmounting difficulties and progressing rapidly in recent years. Mr. Chairman, the continuation of MFN status remains an essential part of our efforts to expand our commercial relations with China.

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TABLE 3
LEADING U.S. EXPORTS TO CHINA, 1978-1982
(Millions of U.S. Dollars)

1982 Rank	1978	1979	1980	1981	1982
1. Wheat	250.2	214.1	1,093.3	1,269.0	1,046.7
2. Synthetic Resins	1.3	29.7	110.7	158.4	236.1
3. Logs	0	0	41.4	89.2	211.9
4. Corn	111.7	268.5	224.5	62.6	189.4
5. Cotton	157.3	357.0	701.3	463.7	177.8
6. Fertilizer	38.7	44.6	149.8	127.9	147.0
7. Yarns & Thread of Nylon, Polyester, etc.	1.3	22.4	52.1	177.9	121.7
8. Polyester Fibers	46.4	62.4	197.9	323.7	95.5
9. Measuring & Controlling Instr.	11.2	42.3	40.1	50.9	63.2
9. Soybeans	15.3	106.7	155.2	129.7	63.2
10. Bovine Leather (rough)	0	3.4	14.7	20.9	56.7
11. Parts for Oil & Gas Field Equip.	31.5	54.2	22.7	28.1	44.2
12. Kraft Paper & Paperboard	0.4	2.5	98.2	52.0	35.7
13. Compound Catalysts (unspecified)	.3	1.2	1.5	5.4	25.7
14. Insecticides	2.5	3.6	25.6	25.0	22.5
15. Copper	4.4	5.6	0	0	21.8
Subtotal	672.5	1,218.2	2,975.0	2,983.4	2,559.1
Total U.S. Exports to China	818.2	1,716.5	3,751.7	3,602.7	2,912.1

Source: U.S. Census Bureau

TABLE [illegible]
LEADING U.S. IMPORTS FROM CHINA, 1978-1982
(Millions of U.S. Dollars)

1982 Rank		1978	1979	1980	1981	1982
1.	Gasoline	0	21.6	81.8	258.7	336.9
2.	Women's, Girls' and Infants outer garments	16.6	42.9	77.7	158.8	238.9
3.	Crude Petroleum	0	71.8	18.8	0	198.0
4.	Men's and Boys' outer garments	10.4	24.9	35.7	58.9	110.5
5.	Misc. Manufactured Articles	19.6	23.8	50.6	96.7	92.3
6.	Sweaters and other knit outwear	9.1	15.6	59.4	49.1	81.0
7.	Made-up articles of textile materials NSPF	5.7	7.7	27.7	56.6	78.3
8.	Woven cotton fabric	37.6	23.2	46.1	86.7	73.8
9.	Undergarments (not knit)	10.0	20.2	33.4	54.2	72.6
10.	Napthas	0	3.0	30.9	36.7	62.8
11.	Floor coverings	13.2	18.4	50.7	67.5	53.9
12.	Underwear (knit)	3.7	8.7	14.0	28.0	46.0
13.	Prepared or preserved vegetables	1.6	2.0	18.4	33.7	44.2
14.	Nonferrous metals	2.3	8.3	25.0	33.6	38.6
15.	Footwear	3.3	13.9	22.4	38.7	37.8
16.	Tin	15.5	2.7	13.8	22.3	35.5
17.	Fireworks	12.1	15.6	23.2	24.7	31.1
	Subtotal	160.7	324.3	953.6	1512.4	1632.2
Total U.S. Imports from China		316.7	592.3	1075.9	1908.2	2283.7

Source: U.S. Census Bureau

Senator DANFORTH. Mr. Vargo.

STATEMENT OF FRANKLIN J. VARGO, DEPUTY ASSISTANT SECRETARY OF COMMERCE FOR EUROPE AND EUGENE K. LAWSON, DEPUTY ASSISTANT SECRETARY OF COMMERCE FOR EAST ASIA AND THE PACIFIC

Mr. VARGO. Thank you, Mr. Chairman.

The Department of Commerce fully supports continuation of most-favored-nation status for Romania, Hungary, and China. Continuation of most-favored-nation tariff treatment for these countries will promote our objectives regarding freedom of emigration.

Continuation of most-favored-nation status also is strongly in our commercial interest as well. It is the cornerstone of our bilateral trade relationship with these countries.

Mr. Lawson and I have prepared statements going into detail on these three countries and our trade relationship that we ask be included in the record. We are available to answer your questions.

Thank you, Mr. Chairman.

Senator DANFORTH. Thank you, Mr. Vargo.

[The prepared statement of Franklin J. Vargo follows:]

STATEMENT OF FRANKLIN J. VARGO
DEPUTY ASSISTANT SECRETARY OF COMMERCE
FOR EUROPE
BEFORE THE SUBCOMMITTEE ON INTERNATIONAL TRADE
OF THE SENATE FINANCE COMMITTEE
JULY 29, 1983

Mr. Chairman,

I am pleased to appear before this subcommittee today on behalf of continuation of Most-Favored-Nation (MFN) status for Romania and Hungary. Continuation of MFN tariff treatment for these countries will promote the objectives of Section 402 of the Trade Act regarding freedom of emigration.

Continuation of MFN status is strongly in our commercial interest, as well. It is the cornerstone of our bilateral trade relations with Romania and Hungary. MFN and the associated trade agreements with these countries have contributed to strengthening the U.S. economy. They have led to valuable new commercial opportunities for U.S. firms. Billions of dollars of U.S. exports have resulted and thousands of jobs for American workers have been created.

With MFN, our companies can compete on an equal footing with their international competitors; without MFN, the U.S. would likely become a supplier of last resort. Furthermore, our commercial relations have not only expanded but also have intensified, with many American firms involved in industrial cooperation and joint ventures with Romanian and Hungarian enterprises.

Additionally, MFN status has furthered the important objective of bringing these two countries more fully into the international trading system and adhering to the rules and customs of that system. MFN status also demonstrates our continuing support for the development of bilateral trade and the strengthening of our overall economic and political relations with Romania and Hungary.

The Department of Commerce monitors trade with these countries and enforces import and export regulations. When U.S. industry has been sensitive to foreign imports and questions of market disruption and dumping have been raised, Commerce has used informal consultations and bilateral agreements in enforcing U.S. Government trade administration regulations.

It has been the experience of the Commerce Department that Romania and Hungary have heeded our laws and honored their agreements. While we do have problems with these countries, partly due to the complex trade relationships we have attained, we consider our trade relations of significant value and of benefit to all partners.

Let me now turn to a discussion of our MFN trade relationship with each of these two countries. I will begin with Romania, for it has been the focus of our attention over the last year insofar as MFN is concerned.

ROMANIA

On October 22, 1982, Romania announced enactment of Decree 402, which among other things, required that persons wishing to emigrate from Romania reimburse the state for the costs of their education beyond the compulsory level. This decree contravened both the letter and spirit of the Jackson-Vanik Amendment. Implementation of the Decree began in February 1983. On March 4, the President announced his intention to terminate Romania's MFN status on June 30 if the Decree was still being implemented. The Department of Commerce notified U.S. firms of the President's action and provided advice and guidance to firms affected by the potential loss of Romanian MFN.

Importance of MFN -- The Commerce Department emphasized the costs of an MFN termination to the Romanian Government. We made clear that in addition to costing Romania about $200 million in lost export earnings in the first non-MFN year, the termination of MFN would undermine joint efforts to develop bilateral trade. We believe our efforts helped convince the Romanian Government that retaining MFN was commercially in Romania's best interest.

MFN benefits Romania by permitting the sale in the United States of a wide range of Romanian exports which would not be competitive in this market if the sharply higher non-MFN duties were levied on them. The competitiveness of ninety percent of the goods Romania now sells in the United States would be adversely affected by the termination of Romania's MF

The U.S. markets which Romania would have forfeited in the event of a termination of MFN would, in most instances, have been filled by foreign producers, not by domestic U.S. producers. Our research shows that Japan, Taiwan, South Korea, Italy, West Germany, and several other countries would have gained the bulk of Romania's lost U.S. markets. As a result there would be neither a gain in U.S. jobs nor a decrease in U.S. global imports if Romania had lost MFN status.

At the same time, however, U.S. exports to Romania would have experienced a commensurate decline, since Romania attempts to balance its trade bilaterally. The U.S. export markets which would have been lost in Romania cover a wide range of agricultural products, raw materials and manufactured goods for which unexploited alternative markets for U.S. producers do not exist. As a consequence, termination of Romania's MFN would have resulted in both a U.S. export and trade balance loss of about $200 million in the first year and the 6000 American jobs which they create. The loss would have grown over time in proportion to the growth of U.S. market potential in Romania.

Last year the United States was Romania's third largest supplier world-wide, and also Romania's third largest customer. If the strong trade relationship which has developed between Romania and the United States were disrupted, Romania could be forced to reorient a portion of its foreign trade towards its Council for Mutual Economic Assistance (CMEA) partners. The Soviet Union, in particular, could replace the United States as a supplier of certain raw materials and as the market for Romanian consumer goods. Although the political leverage which the Soviet Union might gain depends upon unknown factors, it is noteworthy that Romanian policy for over fifteen years has deliberately sought to reduce trade dependence on the Soviet Union in accordance with the aim of increasing overall economic and political independence. Two-thirds of Romania's foreign trade is now with the West -- by far the highest proportion of any East European country.

Trade Prospects -- With continued MFN treatment and maintenance of trade relations, the outlook for U.S. producers is encouraging. The Romanian economy is now completing a difficult adjustment and is entering a phase in which trade can again begin to grow.

Romania's economy passed through a critical stage in 1981-82. The combined forces of restructured world oil prices, the international credit squeeze, economic adjustments to slower growth, and past economic mismanagement precipitated a liquidity crisis in 1981 leading to needed debt rescheduling. Requests for reschedulings to cover $2 billion in debt service in 1982 were satisfied and $800 million in debt relief has been negotiated with Western private banks and governments this year.

Since 1981, Romania has adhered to an economic stabilization program in cooperation with the International Monetary Fund. Through measures to rationalize prices, curb overly-ambitious investment, and improve the balance of payments, Romania achieved a remarkable foreign trade surplus of $1.5 billion in 1982. We do not believe Romania will require additional debt reschedulings in 1984, and if the policies being pursued in conjunction with the IMF program continue on schedule, we believe full economic stability will be achieved.

Since the onset of the 1981 liquidity crisis, many contracts concluded with Romania remained unpaid for months and suppliers refused to fill subsequent Romanian orders. Numerous contracts and projects which were under active discussion between American and Romanian partners in 1981 never materialized. Only gradually were debts repaid or rescheduled. Although these developments have tarnished Romania's commercial credibility, we expect the Romanian market will improve gradually through the remainder of 1983 and 1984.

U.S.-Romanian trade fell from over $1 billion in 1981 to $571 million in 1982. U.S. exports declined from $504 million to $223 million; U.S. imports declined from an all time high of $560 million in 1981 to $348 million last year. The 1982 figures reflect Romania's lack of access to hard-currency financing, Romanian economic austerity measures, and the effects of the U.S. recession on trade.

The 55 percent decline in U.S. exports from 1981 to 1982 primarily affected food and live animal sales, which were only $45 million in 1982--down from the 1981 and 1980 levels by about $300 million. U.S. exports to Romania of manufactured goods showed no significant change from $51.7 million in 1981 to $50.8 million in 1982. U.S. exports of crude materials and fuels taken together increased in 1982 over 1981 from $116 million to $126 million.

Many American firms are keenly interested in doing business with Romania and the outlook is good for increased bilateral trade in the next few years. Economic recovery in the United States will increase the opportunities for Romania to earn more dollars and, in turn, buy more American goods and services. The Romanian demand for imports of Western merchandise is expected to increase substantially when Romania's two-year moratorium on "new" investments ends this fall. We anticipate growth in both imports and exports in the second half of 1983, with a trade turnover possibly surpassing $1 billion next year.

High level economic visits continue between the two countries. The Romanian Minister of Foreign Trade met with Commerce Secretary Baldrige in conjunction with the Eighth Session of the Joint American-Romanian Economic Commission meeting in Washington on June 28-29, 1982. The Working Group of the Commission met in Bucharest on October 18, 1982, where the U.S. delegation was headed by the Assistant Secretary of Commerce for International Economic Policy. In the past year, the Romanian Ministers of Foreign Affairs and Finance, as well as the Chairman of Romania's Foreign Trade Bank, have visited Washington. Both the Joint American-Romanian Economic Commission, which monitors trade and discusses economic and commercial issues, and the Romanian-U.S. Economic Council, which facilitates increased contact between U.S. firms and Romanian companies, will meet again later this year.

HUNGARY

Since the granting of MFN status to Hungary in 1978, U.S.-Hungarian two-way trade has remained around the $200 million level. Hungary has been a steady customer for U.S. manufactured goods. Since 1979, Hungary has imported on the average nearly 20% of all U.S. exports of manufactured products to Eastern Europe. Many of Hungary's purchases have been from depressed U.S. industries such as motor vehicle parts, tractors and other agricultural machinery, and diesel engines.

U.S. exports to Hungary have remained on a plateau under $80 million for the past four years. The Department of Commerce believes these levels are well below the potential of our two countries' trading capacities and that the pace of trade expansion could be quickened. I should note, however, that Hungarian trade data normally show imports from the United States that are nearly 300% per cent larger than U.S. export figures. The Department of Commerce is analyzing the reason for this discrepancy and on a preliminary basis finds the Hungarian figures probably more accurate than U.S. figures. Nonetheless, even using Hungarian figures, little growth in U.S. exports to Hungary is evident.

The Department of Commerce is working aggressively to expand export markets in Hungary in order to develop our export potential more fully. In doing so we are working with American companies to show them that mutually-beneficial trade in non-strategic goods with Hungary can be expanded in a number of product areas. We are also working with the Hungarian Government and with prospective purchasers of American goods to show them that expanded trade in non-strategic goods can be of significant benefit to Hungary, as well as to the United States. We are confident that we will see trade levels rise to more closely approximate their potential.

Apart from trade, the commercial relationship with Hungary resulting from MFN has had a notable effect on joint ventures and investments. MFN status supports the viability of several U.S. based joint-ventures and industrial cooperation agreements such as Crown Coach Corporation in California, Steiger Tractor Corporation of North Dakota, Island Creek/Tata Coal Recovery Co. of Kentucky, Taurus Tire Co. and Action-Tungsram Industries both of New Jersey. Action-Tungsram exports in excess of $6 million worth of products produced in the U.S. and employs 150 workers.

Modifications in Hungarian commercial laws governing joint-ventures, free-trade zones, and the creation of small and medium-sized private businesses have widened the commercial potential of Hungary for U.S. companies. Agricultural tractors and energy conservation equipment as well as sales of soymeal will provide significant opportunities for U.S. business in Hungary this coming year.

The Hungarians have astutely managed their debt and have avoided any need to reschedule despite strong pressures this past year due to the tightening of available private credit to all of Eastern Europe. To counter these adverse conditions, Hungary has taken strong domestic measures such as curtailing domestic investments, devaluing their currency, and imposing import restrictions on selected raw materials and spare parts. Market-oriented reforms and continued decentralization programs, however, remain the fundamental course of the Hungarian economy.

The effect of these austerity measures on U.S. business has been minimal. Due to the credit shortage, Western suppliers encountered minor and temporary payment delays. These arrearages affected a handful of U.S. companies for a short period of time during the summer and were brought up-to-date by fall of 1982. As regards the import restrictions, they apply to selected items and have only marginally affected U.S. exports. We are, however, opposed to such restrictive trade measures and have encouraged the Hungarians to use other means to remedy their situation.

As a new IMF and World Bank member, Hungary has expanded its participation in the international financial community. Through the IMF's stabilization program, broad-ranging industrial and financial programs are being implemented. With IBRD funding, Hungary is modernizing sectors of its agriculture and expanding its energy conservation program.

The promotion of trade relations has expanded with the reciprocal extension of MFN status and widened the exchange of views on trade and commercial matters. In the past year, Deputy Prime Minister Marjai and senior Hungarian foreign trade officials have visited the United States. Last winter a thirteen-member Congressional delegation toured Hungary. The bilateral Joint Economic and Commercial Committee (JECC), which monitors trade and discusses economic and commercial issues and which is chaired by the Assistant Secretary of Commerce for International Economic Policy, was held this past November in Budapest. This year's JECC meeting, to be held in Washington, is expected to take place sometime in the late fall.

Senator **Danforth**. Gentlemen, thank you very much.

Senator Dole has some questions which he would like to submit to the administration, particularly concerning the Soviet Union, and would like the administration to furnish a written response.

Mr. **Palmer**. Fine. If you will provide them, we will give you a written answer.

[The questions submitted to the U.S. Department of State and the response thereto follow:]

Question. Jewish emigration from the Soviet Union, and that of other ethnic groups, has fluctuated widely during the past decade. In your opinion, what factors contribute to the Soviet Government's relative willingness to approve departures?

Answer. Jewish emigration is currently at its lowest level since the 1960's. During the period of detente, more than 300,000 Jews and other minorities were allowed to leave the USSR. In 1979 the Soviet Union hoped that the United States would ratify the SALT II treaty and Jewish emigration reached a peak of 51,000. Fewer than 2,700 Jews were allowed to emigrate in 1982 and only slightly more than one hundred Jews per month have been permitted to leave the Soviet Union so far this year.

The reasons why the Soviet authorities cracked down so hard on emigration are difficult to assess with precision. In addition to any foreign policy considerations, domestic political considerations were important. The Soviet government appears to be making a determined effort to cut off those contacts with the outside world which it cannot control. Drastically reduced emigration is part of that effort, as are jamming of foreign radio broadcasts, reductions in telephone service, interference with mail deliveries, harassment of foreign tourists and warnings to Soviet refuseniks and human rights activists to cease contacts with foreigners or face imprisonment. The Soviet leadership seems to have decided that what Soviet citizens were learning about the outside world posed a potential threat to the regime.

The recent across-the-board reduction in emigration from the USSR has also affected other ethnic groups, primarily Armenians and Volga Germans. Over the past several months a number of Soviet sources have stated that all Jews who wish to leave the USSR have already done so, which accounts for the sharp decline in Jewish emigration. The USG has publicly rejected this claim; estimates of the number of Soveit Jews still seeking to leave the USSR range into the hundreds of thousands.

Question. Shortly after the 1974 Trade Act became law, the Soviet government announced that it would not conduct commercial relations with the United States based on the terms of Title IV of that Act. Is there any reason to believe that the Soviet position has changed in this regard?

Answer. We have no evidence to suggest that the Soviet position on the Jackson-Vanik Amendment has changed.

Question. Title IV was intended to promote both emigration and market opportunities in the countries to which it applies. With regard to the Soviet Union, has the Title contributed to either of these two goals?

Answer. The Jackson-Vanik Amendment was passed with the laudable goal of promoting freer emigration from certain communist countries, and objective which this Administration wholeheartedly supports. The Soviet Union, however, decided not to conduct commercial relations with the U.S. based on the terms of Title IV. Unfortunately, in recent years the level of emigration from the Soviet Union has sharply declined. Similarly, levels of trade have fallen short of their potential at least in part because of concern over the lack of most-favored-nation trade status for the USSR. The Soviet Union's cumbersome economic system and foreign trade mechanism as well as its persistent hard currency shortages have no doubt also played a role, although the magnitude is difficult to assess. The Administration has made clear to the Soviets that there cannot be a major expansion of our economic relations with the Soviet Union until the USSR is prepared to demonstrate a more positive and constructive approach on issues of vital concern to us. Trade cannot be isolated from other elements of our relationship.

Question. Jewish emigration from the Soviet Union is now occurring at a very low rate. Does Title IV offer the President sufficient authority and benefits with which to negotiate an improvement in the Soviet Union's emigration procedures and approvals?

Answer. We are always seeking ways to increase freedom of emigration from the Soviet Union, and believe that Title IV offers sufficient authority and flexibility to negotiate improvements in the Soviet Union's emigration procedures and approvals should conditions permit operation under its framework.

Question. With regard to the People's Republic of China, do the requirements of Title IV serve to promote emigration or commerce between the United States and that country?

Answer. Linking most-favored-nation tariff treatment to emigration has helped to encourage nonmarket economy countries to be more responsive to U.S. concerns regarding emigration and family reunification. China's determination to carry out its modernization plans with Western support has been accompanied by moves toward some liberalization in the areas of human rights and emigration. There are now many more people willing and able to emigrate from the PRC than receiving countries are willing to accept. With regard to the U.S. alone, over 60,000 Chinese with approved visa petitions are waiting their turn to immigrate to America.

Trade is a fundamental component of China's modernization effort and its efforts to join the community of nations. U.S.-China trade in 1982 amounted to $5.2 billion—a five-fold increase over 1978—with a favorable surplus to the U.S. of $600 million. Since 1978 trade with China has resulted in a cumulative U.S. trade surplus of about $7 billion. The Administration strongly believes that the continuation of MFN status for China will promote the objectives of Title IV and is vital to our commercial and foreign policy interests.

Question. Do you have any suggestions, in light of the Supreme Court's decision in *Immigration and Naturalization Service* v. *Chadha*, as to how the Congress might improve Title IV of the 1974 Trade Act to better accomplish its twin goals of promoting emigration and trade, and to restore Congressional oversight? In this regard, what would the State Department's position be with regard to authorizing the President to extend most-favored-nation status to qualifying countries for more than one year at a time?

Answer. It is our view that the provisions of Title IV for Congressional action by one-house or concurrent resolution, which were struck down by the *INS* v. *Chadha* decision, are severable from the remainder of the Title. Thus, notwithstanding the unconstitutionality of the legislative veto provisions in Title IV, the President's waiver authority remains operative under the conditions provided for in the Act, subject to applicable Congressional notification requirements. We expect that Congress will exercise an active oversight role. The statutory requirement for periodic extensions of the waiver, the existence of legal authority to terminate the waiver and the possibility of active Congressional oversight, we believe, provide a fully adequate legal mechanism to ensure that the goals of the Act will continue to be met.

The Department finds the concept of multi-year MFN an interesting one which deserves further study.

Senator **Danforth**. Now, in both the Senate and the House there have been bills introduced which would prohibit the extension of waiver authority with respect to Romania. Is it the administration's view that those bills are not in the best interest of the United States?

Mr. **Palmer**. That is correct, Senator. For the reasons I have cited in my testimony we feel that, for both political and economic reasons, it is in our interest to continue MFN to those countries.

Senator **Danforth**. Generally speaking, do you feel that international trade is in the best interests not only of the other country but also of the United States?

Mr. **Palmer**. That is correct.

Senator **Danforth**. And that that is not only in our economic self-interest but our political self-interest as well?

Mr. **Palmer**. And, in particular, it is in the interest of emigration, which of course is the purpose of the Jackson-Vanik amendment in that it has provided an invaluable means of encouraging emigration. So for all of these reasons we think that it is very important to carry on with this process.

Senator **Danforth**. And is it the administration's position that the Jackson-Vanik system does encourage emigration and that the annual review by the Congress has been effective and is effective in encouraging emigration from the three affected countries?

Mr. **PALMER**. We very much favor continuing the process provided for under Jackson-Vanik. We think it has been useful and will continue to be useful. The administration remains committed to that process of annual determinations by the President and consultations with the Congress, and we think that that will continue to keep focus on the emigration question in a way which is helpful.

Senator **DANFORTH**. And is it the administration's position that, regardless of the *Chadha* decision, the essence of the procedure which has now been established for some years will continue?

Mr. **PALMER**. Absolutely. *Chadha* has no effect on any other provision of the law, and we will, of course, continue to observe every element of the law.

Senator **DANFORTH**. Is that your view, Mr. Matheson?

Mr. **MATHESON**. That is, indeed. Yes, sir.

Senator **DANFORTH**. Now, with respect to the education tax, was there any rationale for that tax other than to prohibit or provide a disincentive for emigration?

Mr. **PALMER**. The Romanian authorities told us that the rationale for it was fairness. I'm not saying we ascribe to this view; but, if you want to know the Romanian Government's official position, it was that these people had been given free education and that they should repay to the state the education they had been provided.

President Ceausescu, for example, cited the fact that in the United States people who go to our military academies are then expected to serve a certain number of years afterward to compensate the State for the education they had received. Of course, in our view this tax was not analogous, and we made clear our position, and we have ultimately reached a resolution about it. But they did make a rather detailed argumentation in terms of simple fairness.

Senator **DANFORTH**. And there is no doubt at all that that tax is no longer in effect?

Mr. **PALMER**. That is clear. And I might add, should it ever be in effect, and we have no reason to believe that it will be, we would, of course, react immediately. And I think there is no doubt in anyone's mind about that.

Senator **DANFORTH**. We do, however, have continuing problems with respect to Romanian emigration policies, don't we?

Mr. **PALMER**. We have had some problems with the length of time that it has taken them to process some cases, yes, sir. We have been working with them. They have made new commitments to you all, to the Congress, about that. We think there has been some progress on procedures, but we are still very concerned about harassment of individual cases when people apply, and we are working hard on that.

The Romanian Foreign Ministry has told us that if we know of individual cases where there are problems, that they will immediately look into them and will give us a report about them.

So we are satisfied that we are thoroughly engaged in improving the situation, that there has been some improvement. But as I said in my testimony, there are further things that need to be done.

Senator **Danforth**. Did I understand you to say, Mr. Palmer, that we are not able to accept into the United States all of the people who are eligible to leave Romania?

Mr. **Palmer**. That is correct. There is a backup, and of course we have our own immigration laws. We cannot accept just everybody who would like to come to this country from any country, whether it is Romania or any other country. So there is currently somewhat of a backup, and we have to go through each case and decide under our laws whether or not they are eligible to come here.

I hasten to say that that is not in the case of prominent political dissidents of some sort. They, of course, could come under our procedures; but there are others who are not political cases, and we have to make a determination.

Senator **Danforth**. Could you quantify that problem?

Mr. **Palmer**. The backlog is approximately 1,000 now, but it fluctuates as we process cases and more come in, and we resolve some cases.

Senator **Danforth**. Senator Grassley?

Senator **Grassley**. Mr. Chairman, I don't have any questions, but there are a couple of things I want to bring up with you. No. 1, I want to put a statement in the record, and I don't want to read it except for one paragraph at this point.

In regard to Romania,

> Must deal with emigration requests in a positive and humanitarian spirit, must process emigration requests as expeditiously as possible, must permit renewal of requests not granted at reasonably short intervals, must not charge immoderate fees in connection with emigration, must permit persons to emigrate to bring with them or ship household and personal effects, and must not modify the rights and obligations of the applicant or members of his family upon the presentation of emigration requests.

This statement is in the spirit of Romania agreeing to the Madrid accords, which are a review of the Helsinki accords. And in that spirit I would expect that they would pursue these goals. So I pointed that out specifically and ask that the rest of my statement be put in the record.

I would also ask the chairman a question on another point, in regard to section 201 that contained the congressional veto—and I assume, although I have not studied this specific portion in detail, but I assume it is affected by the *Chadha* case—whether or not in the form of our consideration of this, or any other form now before the Finance Committee. If so, are we going to have an opportunity to review the *Chadha* case as it affects this, and whether there is going to be any substitute proposed by you? or, if there is not a substitute proposed by you, I have some matters I would like to bring to the attention of the committee and subcommittee on that matter.

Senator **Danforth**. All right. Well, that is in part the subject matter of today's hearing—the effect of the *Chadha* decision, if there is an effect, on Jackson-Vanik and on the role of this committee. And it is the administration's position that, in essence, it has no effect; that is to say that the annual review and report to the Congress that has been conducted by the executive branch will continue to be conducted by the executive branch, that there will continue to be consultation with the Congress, that we will continue to have our annual hearing.

As I understand the *Chadha* case, and Mr. Matheson would be in a much better position than I would to comment on it, the effect of it is that if the administration were to grant MFN status to a country and Congress were to disagree, Congress would have to express its disagreement in statutory form rather than in legislative veto form.

Also, of course, Congress could simply change the law; although anytime you do that the President has to sign it.

Senator GRASSLEY. Well, there is no question that our veto of MFN would no longer be constitutional. There is agreement on that. Therefore, resolutions of disapproval that Congressman Crane, for one, has put in in the House of Representatives would not be a constitutional approach any more.

Senator DANFORTH. What is your response to that, Mr. Matheson?

Mr. MATHESON. I would agree with that. This is a legislative veto of the type struck down by the *Chadha* decision.

Senator GRASSLEY. All right.

In regard to that, then, if we have an opportunity at a markup time, I would like to suggest the joint resolution approach which would require presentation to the President, hence would be constitutional. It would have the granting of most-favored-nation status upon the determination by Congress through a joint resolution.

Senator DANFORTH. In other words, the MFN status would be granted for a period of a year and would not be automatically renewable unless there was an act of Congress signed by the President?

Senator GRASSLEY. Well, a joint resolution which would be similar to—for instance, to legislation recently offered in the House of Representatives by which regulations would be written as previously submitted to the Congress, or I mean would not actually take effect until proposed and enacted as part of a joint resolution.

Senator DANFORTH. Do you have a view on that, Mr. Palmer?

Mr. PALMER. Perhaps Mr. Matheson could speak to it better than I.

Mr. MATHESON. Well, I should start by saying that it would not be unconstitutional under the *Chadha* decision; that is, the *Chadha* decision does not rule out the possibility of action by joint resolution, which as you say must be presented to the President for his signature or veto.

However, there would be policy considerations in any such scheme which might reduce the flexibility of the executive branch to respond in a timely fashion to the requirements of foreign policy and other factors in this case.

Senator GRASSLEY. But those policy considerations of a congressional involvement in the process wouldn't be any more horrendous than the prospect of a legislative veto, would they, under current law, pre-*Chadha?*

Mr. MATHESON. They would add the additional burden that Congress would have to act affirmatively in each case, and, therefore, there would be the need for the separate procedure of congressional approval before the waivers could be extended.

Senator **Grassley**. Yes.

Mr. **Matheson**. So in that sense it is more burdensome.

Senator **Grassley**. Well, I don't know how else in a constitutional way to keep Congress involved in the MFN process the same way we have been under the potential of a congressional veto, which is no longer constitutional.

Senator **Danforth**. Well, Mr. Palmer's position is to the contrary, I think.

Senator **Grassley**. Well, you keep us involved in the sense of consultation; but the process of our disapproval is not there now, with *Chadha*.

Mr. **Matheson**. Well, you could still do it through a decision by both Houses, as I understand it, enacted into law. In our view, that would be more analogous to the veto situation rather than requiring an affirmative action, as the approach that I understand you are suggesting would do. We would have some serious concerns about the requirement for affirmative action.

Senator **Grassley**. All right.

All I wanted to do was to raise the point, Mr. Chairman. And where in the calendar of our business does an opportunity for a decision on this come, if these points wanted to be presented?

[Pause.]

Senator **Danforth**. The staff has advised me that Senator Dole believes that perhaps sometime in the fall there would be time for a hearing on this subject.

Senator **Grassley**. Thank you, Mr. Chairman.

Senator **Danforth**. Gentlemen, thank you very much.

Mr. **Palmer**. Thank you.

Senator **Danforth**. Mr. Spitzer.

STATEMENT OF JACK J. SPITZER, PRESIDENT, B'NAI B'RITH INTERNATIONAL, WASHINGTON, D.C., ON BEHALF OF THE CONFERENCE OF PRESIDENTS OF MAJOR JEWISH ORGANIZATIONS

Mr. **Spitzer**. Thank you, Senator Danforth.

I am grateful for this opportunity to state the position of B'nai B'rith International regarding the continuation of most-favored-nation status for Romania. We believe that it is valuable for citizen participation in this process.

B'nai B'rith has been deeply involved in the welfare of Romanian Jewry since 1970, when President Grant, at our urging, appointed a past President of B'nai B'rith as the American consul to Romania, to concern himself with American concerns including problems of discrimination and prejudice.

As honorary president of B'nai B'rith, I have had many fruitful exchanges with Romania's leaders. I've had discussion about Romanian-Jewish emigration to Israel both in this country and in Romania.

B'nai B'rith concerns itself with the welfare of Jews throughout the world. In keeping with this responsibility, it has a sustained interest in the condition of the Jewish community in Romania and the right of Romanian Jews to emigrate to their ancestral Jewish homeland of Israel.

Although B'nai B'rith has consistently supported renewal of most-favored-nation status for Romania each year since 1975, we have also indicated some measure of dissatisfaction with the numbers of Romanian Jews allowed to go to Israel. In previous years' testimony to this subcommittee we have noted that emigration to Israel has gone from 3,729 in 1974 the last full year before MFN, to 2,372 in 1975, 1,982 in 1976, 1,347 in 1977, 1,141 in 1978, 991 in 1979, 1,042 in 1980, and 973 in 1981.

Now, this decrease can be partially explained by the aging character and the diminishing numbers of the Romanian Jewish community, resulting in a steady reduction in the pool of prospective emigrants; but, as we pointed out in the past, the decrease has also reflected the Romanian Government's policy of discouraging emigration by limiting the number of persons issued passports.

Despite our belief that there is always room for improvement in Romania's emigration performance, we have felt that preserving Romania's most-favored-nation was important for several reasons:

Though the levels of emigration were lower than we would have liked, a significant number of Jews were allowed to leave, and most-favored-nation status provided leverage for increasing those numbers and resolving some of the stubborn cases.

Moreover, keeping the treaty made good diplomatic sense, since Romania's foreign policy is the most independent of any Warsaw pact country. One way Romania expresses that independence is in being the only pact country to maintain formal diplomatic and commercial ties with Israel. Indeed, the very fact that Romania enjoys good relations with both sides in the Middle East conflict has enabled it to play a constructive role in furthering peace in that region.

We believe our dialog in 1982 with Romanian Government representatives helped produce the best year for emigration into Israel since 1967, with 1,513 Jews going to Israel. We have now received assurances that the often onerous emigration process would be typically shortened to a maximum of 6 months.

But with this improvement in the emigration picture came growing Romanian concern about the "brain drain," the loss of skill and educated people to the West. In November the Romanian Government decreed that persons wishing to emigrate would be required to reimburse the Government in hard currency for the cost of their education.

I might add that, in meeting with President Ceausescu prior to that time, I urged him to understand that that implementation of such a program would be deleterious in terms of relationships.

B'nai B'rith agrees with the Reagan administration that this new tax constitutes a clear violation of the Jackson-Vanik amendment, and that if it remained in force Romania would disqualify itself for MFN.

We believe that now that the tax is not being implemented that Romania will continue to allow substantial emigration not only to Israel but to the United States and other countries, that this is a tribute to the Jackson-Vanik amendment as our own best testimony that this landmark piece of human rights legislation should be retained.

Thank you, Mr. Chairman, for this opportunity to present our support of most-favored-nation trade status for Romania.

Senator DANFORTH. Mr. Spitzer, thank you very much. You have been involved in this issue with respect to Romania for how long now?

Mr. SPITZER. Since I was first elected president of B'nai B'rith in 1978, sir. I have been deeply involved, with many trips to Romania, House relationships, communication with their Government, and I think a very real understanding of the problem and situation and the progress that is being made.

Senator DANFORTH. And is it your view that the cause of further emigration from Romania would be served by the extension of MFN status?

Mr. SPITZER. Definitely, Mr. Danforth.

Senator DANFORTH. Do you think it would be a mistake, for example, for the Congress to attempt to deny MFN status to Romania?

Mr. SPITZER. We believe that would be a mistake and contrary to the best interests of the United States, of Romania, and of Jewry.

Senator DANFORTH. And do you anticipate, over the next year or so, continuing to be involved personally in the question of the emigration of Jews from Romania?

Mr. SPITZER. Yes, I do.

Senator DANFORTH. And do you think that your job would be furthered by the granting of MFN status, and that it would be set back by the denial of MFN status?

Mr. SPITZER. I do, indeed.

Senator DANFORTH. Thank you very much, Mr. Spitzer. Mr. Spitzer. It has been a privilege to appear before you. Thank you, Senator Danforth.

[The prepared statement of Jack J. Spitzer follows:]

STATEMENT OF JACK J. SPITZER,
HONORARY PRESIDENT, B'NAI B'RITH INTERNATIONAL
BEFORE THE
INTERNATIONAL TRADE SUBCOMMITTEE
OF THE
SENATE FINANCE COMMITTEE
JULY 29, 1983

Mr. Chairman:

I am grateful for this opportunity to state the position of B'nai B'rith International regarding a continuation of Most-Favored-Nation status for Romania. B'nai B'rith has been deeply involved in the welfare of Romanian Jewry since 1870. As Honorary President of B'nai B'rith, I have had fruitful exchanges with Romania's leaders. I have had discussions about Romanian Jewish emigration to Israel both in this country and in Romania.

B'nai B'rith concerns itself with the welfare of Jews throughout the world. In keeping with this responsibility, it has sustained interest in the condition of the Jewish community in Romania and the right of Romanian Jews to emigrate to their ancestral Jewish homeland of Israel.

Along with other major Jewish organizations, our involvement in the question of Romanian Jewish emigration heightened following the signing in 1975 of the U.S.-Romanian Trade Agreement calling for each nation to grant the other Most-Favored-Nation treatment with regard to customs, duties and charges. In waiving the application of subsections (a) and (b) of Section 402 of the Trade Act of 1974 for Romania, President Ford notified the Congress that he had received assurances that the emigration practices of Romania will henceforth lead substantially to the achievement of the objectives of Section 402. In this regard, President Ford cited the Declaration of the Presidents of the United States and Romania, signed in 1973, wherein it was stated, "they will contribute to the solution of humanitarian problems on the basis of mutual confidence and good will."

Although B'nai B'rith has consistently supported a renewal of Most-Favored-Nation status with Romania each year since 1975, we have also indicated some measure of dissatisfaction with the numbers of Romanian Jews allowed to go to Israel. In previous years' testimony to this Subcommittee, we have noted that emigration to Israel has gone from 3,729 in 1974 -- the last full year before MFN -- to 2,372 in 1975, 1,982 in 1976, 1,347 in 1977, 1,141 in 1978, 991 in 1979, 1,042 in 1980, and 973 in 1981. This decrease can be partly explained by the aging character of the Romanian Jewish community, resulting in a steady reduction of the pool of prospective emigrants. But, as we have pointed out in the past, the decrease has also reflected the Romanian government's policy of discouraging emigration by limiting the number of persons issued passports.

Despite our belief that there was always room for improvement in Romania's emigration performance, we have felt that preserving Romania's MFN status was important for several reasons. Though the levels of emigration were lower than we would have liked, a significant number of Jews were allowed to leave, and MFN provided leverage for increasing those numbers and resolving some of the stubborn cases. Moreover, keeping the treaty made good diplomatic sense since Romania's foreign policy is the most independent of any Warsaw Pact country. One way Romania expresses that independence is in being the only Pact country to maintain formal diplomatic and commercial ties with Israel. Indeed, the very fact that Romania enjoys good relations with both sides in the Middle East conflict has enabled it to play a constructive role in furthering peace in that region.

Over the years, the Jewish Community has encouraged the Romanians to relax their emigration procedures and allow greater numbers to of Jews go to Israel.

We believe our dialogue in 1982 with Romanian government representatives helped produce the best year for emigration to Israel since 1967, with 1,513 Jews going to Israel; and we have now received assurances that the often onerous emigration process would be shortened to six months.

But with this improvement in the emigration picture came growing Romanian concern about the "brain drain" -- the loss of skilled and educated people to the West. In November the Romanian government decreed that persons wishing to emigrate would be required to reimburse the government, in hard currency, for the cost of their education.

B'nai B'rith agreed with the Reagan Administration that this new tax constituted a clear violation of the Jackson-Vanik Amendment, and that if it remained in force, Romania would disqualify itself for MFN.

Fortunately for Romania and for the United States, Romania's President Ceaucescu has decided to eliminate the tax, and President Reagan was therefore free to recommend another renewal of MFN to Congress. We are also pleased to note that Romania has assured Mr. Reagan that it will not create economic and procedural barriers to emigration, and has suggested, in letters to the Chairmen of the House Trade Subcommittee and the Senate International Trade Subcommittee, that Romania will adhere to a six month processing period for emigration applicants.

While the number of Romanian Jews going to Israel in the first half of this year has not kept pace with last year's high rate, we believe that this can be ascribed to the education tax and the reluctance of people to apply as long as it was in effect. Now that prospective emigrants are no longer subjected to the tax, we hope that the numbers will climb substantially, making 1983 and future years reflective of unrestrained Jewish emigration to Israel.

B'nai B'rith, therefore, does not hesitate to endorse a continuation of Most-Favored-Nation treaty status for Romania. We look forward to a continuing dialogue with the Romanian government on expediting the flow of emigration and meeting any problems that may arise in the future.

In conclusion, permit me to say a few words about the Jackson-Vanik Amendment. Since November, when Romania decreed the education tax, some Americans have suggested that the experience with Romania showed the bankruptcy of Jackson-Vanik as an effective tool in achieving freer emigration.

We submit that the experience with Romania this year proves just the reverse. Were it not for Jackson-Vanik and the standards it establishes for favored trade status with the United States, the Romanian government might never have reconsidered its action. The fact that the tax has been revoked, the fact that Romania is continuing to allow substantial emigration not only to Israel but to the United States and other countries, is a tribute to Jackson-Vanik and its own best testimony that this landmark piece of human rights legislation should be retained.

Thank you, Mr. Chairman, for this opportunity to present our support of Most-Favored-Nations trade status for Romania.

Senator DANFORTH. Next we have Peter Ehrenhaft and Robert Herzstein. Mr. Herzstein is not yet here, but, Mr. Ehrenhaft, if you could begin, please.

It's good to have you back in the room, Mr. Ehrenhaft.

Mr. EHRENHAFT. Thank you very much, Senator.

Senator DANFORTH. It seems like old times.

Mr. EHRENHAFT. I hope I am not so much like the pork on the spit, turning gradually, as I was in the old days in the Treasury.

STATEMENT OF PETER D. EHRENHAFT, ESQ., HUGHES HUBBARD & REED, WASHINGTON, D.C.

Mr. EHRENHAFT. Mr. Chairman, I welcome this opportunity to appear before you, and thank you very much for the invitation.

I am a lawyer in Washington with some experience in international law and, having served as a law clerk at the Supreme Court, I think I know a little bit about constitutional law. I was told by your staff that the question that I was to address was the implication of *Chadha* for the Jackson-Vanik amendment, and, briefly summarized, my views are:

First, while the *Chadha* decision is very important as a principle of constitutional law, I don't think that its importance should be overestimated. Congressional vetoes may be dead, but there are a variety of ways in which Congress can—consistently with the Court's interpretation of the Constitution—continue to monitor executive administration of the law.

I think, as the administration has suggested, and as I guess your own staff has indicated, as far as section 402(d)(5) is concerned, the part of the waiver extension with which we are now dealing, it is correct that *Chadha* would prevent the use of the congressional veto at this time to deny MFN status.

However, I think that the preceding provisions of the Jackson-Vanik amendment, which had provided for an expiration of the waiver unless Congress had acted, that kind of a technique, which is perhaps what you were suggesting in the course of the administration's appearance, is still viable. But it runs the risk that if Congress fails to act in time that MFN status would stop. I think the implications of that can be quite deleterious to trade, and the interruption of a continuum of relationships is one of the nontariff barriers against which this committee should guard.

Indeed, the second point of my testimony is that this committee, particularly expert in trade, I think knows how important it is for sound trade relations that they not be constantly interrupted by various types of measures. If this entire matter is being reviewed by the committee, I would suggest that you consider a longer term than the annual opportunity that the existing law gave for the stop-go, start-stop MFN treatment; I think that it is difficult for participants in a trading system, both in the foreign exporting country and for the domestic businessmen who import merchandise and who set up the sales and service network for imported merchandise, to conduct their business if their business relations are subject to this type of annual review. What I would recommend is that you consider something such as has been done with the Export Administration Act, under which the law expires every 5 years. That provides an opportunity for a periodic review of the entire matter, in a time that is a time long enough for business relations to develop but sufficiently short for the Congress to continue to exercise some influence on the way that the law is administered. And certainly the Executive is constantly looking over its shoulder at how the Congress views the matter.

So that is the kind of an approach that I would suggest.

If you are going to be looking at the statute as a whole, let me also suggest that it would be useful to look at whether the denial of MFN treatment is in fact the weapon of choice to be used with regard to this emigration issue. I don't say that we should deny ourselves the opportunity to prevent MFN imports when we express disapproval of foreign governmental actions; but in so many of these areas I think that the Congress lacks the facts as to how things really work.

I know that Mr. Spitzer suggested that his organization strongly supports this measure, and perhaps they have facts that demonstrate that this has been a useful tool. I personally have not seen the evidence that that is the fact, and I would recommend that the Congress seek those facts before it takes final action.

My prescription for a future law along this line, would be to grant MFN treatment to any GATT signatory, but to deny that treatment if a country has failed, in the President's view, to continue to meet criteria established by the Congress. If the Congress feels that the criteria have not been met, it can, by normal legislation, of course, prevent the continuation of MFN as was indicated in the prior panel. That is an approach that I think is a sensible one.

One other suggestion that I leave with you is that it may be possible to use the treaty powers of the President and the Senate to fashion a procedure similar to that which now exists under the Jackson-Vanik amendment, with a veto by the Senate alone. I think that the *Chadha* decision addresses only the normal legislative procedures; it does not address the way the Senate participates in giving advice and consent to the President to the ratification of a treaty.

So, if a commercial bilateral treaty were concluded by the United States and one of these countries concerning both trade and emigration, it may be possible in that form to prevent the treaty from continuing if the Senate passes a resolution indicating that it believes the treaty is no longer in effect.

Those are the main points of the testimony that is expressed in greater detail in a written statement that I would request be included in the record.

[The prepared statement of Peter D. Ehrenhaft follows:]

UNITED STATES SENATE COMMITTEE ON FINANCE
Subcommittee on International Trade

Hearings on the President's Authority to Waive Provisions of the Trade Act ot 1974

SUMMARY
of
Statement of Peter D. Ehrenhaft*

My name is Peter Ehrenhaft. I am a lawyer in Washington who served in the Carter Administration as Deputy Assistant Secretary of the Treasury for Tariff Affairs. I appreciate your invitation to testify.

Briefly summarized, I suggest:

First, while the Chadha decision is important, do not overestimate its significance. Congressional vetoes may be dead. But a variety of techniques remain by which the Congress can -- consistently with the Court's interpretation of the Constitution -- monitor the Executive's administration of the law. Nevertheless, applying Chadha to § 402(d)(5) of the Act means to me that Congress cannot, without legislation, prevent the extension of the President's waiver authority.

Second, as this Subcommittee, expert in trade matters well knows, important international trade does not consist of spot transactions. It follows that if we want to encourage long-term trade, we should avoid statutes permitting a constant choice between stop-and-go, on-or-off. Such laws deny to ourselves, no less than to our trading partners, the real advantages of trade.

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Third, in a nuclear age, we must be particularly careful about the "weapons" we rattle. We cannot give up the use of economic opportunities as "weapons," either in the field of export controls or in granting access to our market. But you should ask whether the denial of MFN treatment to imports is, indeed, the "weapon of choice" in dealing with violations of human rights by other governments.

Fourth, assuming that Congress wants to use the grant or denial of MFN treatment as a gesture to reflect U.S. disapproval of a foreign government's human rights policies, it can still do so effectively with a sunset provision modeled on the Export Administration Act. My model statute would provide:

(a) MFN treatment will be presumed for all signatories of the GATT, but may be withdrawn by the President if he determines that a particular country has failed to maintain its eligibility under criteria Congress may establish;

(b) MFN treatment may be extended by the President to any non-GATT member or to any country from which it was withdrawn, if he determines that the particular country has now met the criteria;

(c) the President must report periodically (and specifically at other times on the request of the relevant committees of the Congress) on his execution of these policies; and

(d) the powers of the President to grant or withdraw MFN treatment under these rules will expire in no less than three, and most appropriately, five years.

A possible variation of this theme builds on the fact that treaties may be concluded under the Constitution by the President, and ratified with the advice and consent solely of the Senate. The treaty could be made self-executing, and provide that MFN treatment is accorded to the other signatory for as long as that country adheres to agreed principles of non-discriminatory emigration. In advising and consenting to ratification, the Senate could, first, require the President to submit periodic reports to the Senate confirming continued adherence to these terms, failing which the treaty would lapse, and, second, grant to the President authority to waive adherence, subject to a Senate override. This procedure may not be foreclosed by Chadha.

Senator **Danforth**. Thank you very much. That was very interesting testimony.

If the treaty were followed, the treaty would provide that MFN status exists unless the Congress terminates it via a one-House or a two-House veto?

Mr. **Ehrenhaft**. Well, I had in mind, in fact, that the Senate alone would participate in that, since it alone participates in giving advice and consent to the President.

Senator **Danforth**. You would say that the Senate by even a simple majority could terminate a treaty?

Mr. **Ehrenhaft**. It may be that a two-thirds vote would be more appropriate.

Senator **Danforth**. Would a two-thirds vote be legally necessary? I suppose you could provide in a treaty that it could be terminated by anybody.

Mr. **Ehrenhaft**. I was thinking, rather than putting it into the treaty, which I think might make it difficult to negotiate it as an international instrument, that the condition would be in the resolution advising the President and consenting to the ratification of the treaty; the Senate would say that:

> We consent to the ratification of this treaty, provided that the criteria that we have established with regard to this emigration policy remains in effect. And we ask you to give us an annual report. If your report indicates that the other country is not adhering to its standards, or we independently through some way determine that it is no longer doing so, then we reserve the right to have the treaty denounced by a resolution of the Senate.

Senator **Danforth**. So, you believe that, while the *Chadha* decision applies to legislative vetoes incorporated in statutes, that it does not apply to legislative vetoes incorporated into treaties or in congressional addenda to treaties?

Mr. **Ehrenhaft**. No. I think that the *Chadha* decision is based very clearly on an analysis of the method by which the Constitution prescribes the enactment of legislation, and that is, the two Houses passing the bill and presenting the measure to the President.

But under the Constitution, treaties and legislation are given equality as far as being the supreme law of the land is concerned. The treaty method is a separate and independent way of bringing law into being for the United States, if it is a self-executing treaty, and if it doesn't violate fundmental constitutional rights. I think the *Reid* v. *Covert* case held you couldn't use a treaty to prevent the application of the normal constitutional rights of individual citizens; but, that aside, on something like this I believe that the treaty method provides a way of internationally agreeing to a procedure, and the Senate, alone, participates in that. Therefore, the *Chadha* decision I don't think applies to that.

Senator **Danforth**. Then, your other idea immediately prior to discussing the treaty concept, you talked about a legislative way around *Chadha* which, as I understood you, the statute itself would—what?—spell out that MFN status existed unless Congress did what?

Mr. **Ehrenhaft**. I would say that MFN status exists for let us say all the signatories of GATT, and it would remain in effect for the period of the effectiveness of this statute. The statute would be effective for 5 years, and then subject to renewal. The status quo would remain until the renewal was adopted, in the same way that the Export Administration Act now operates.

I would also include in the statute an obligation on the President to report to the Congress annually whether the provisions with regard to emigration—or any other issue, such as section 301 on trade, for example—are being adhered to by the foreign country.

Senator **Danforth**. And if, say after 2 years, you were to write a report that said, "No, it isn't," then what would happen?

Mr. **Ehrenhaft**. Then, in order to terminate the MFN status, I would think that if the President himself had found noncompliance that he should recommend to the Congress that it adopt a concurrent resolution or other measure to deny that status, and present it to the President for signature. And if that were done, he presumably would have been in accord with that, since he would have reported it.

Senator **Danforth**. Why are we any better off under that than we are under the present situation? The Congress could now deny MFN status by a joint resolution.

Mr. **Ehrenhaft**. Yes, it could, and presenting it to the President.

No, the advantages of it are, first, that I think it would provide a time parameter within which trade could flourish. It is the uncertainty of annual reviews that I think is one of the unfortunate aspects of the present law, and I am suggesting a procedure for a new statute that would incorporate some of the substance of the existing law but would give a longer time frame for trade to develop.

Senator **Danforth**. So, in essence it would be the status quo, but instead of annual review we would have less frequent review?

Mr. **Ehrenhaft**. Less frequent formal review; although, you could require that the President still submit reports semiannually or annually with regard to not only the emigration issue but trade, access to the market, or any other similar questions appropriate for international trade agreements.

Senator **Danforth**. I would think that if the MFN status were to automatically terminate, unless expressly renewed by an act of Congress, if that were an annual act of Congress, it would create uncertainty all of the time. If it were a once-every 5-years act of Congress it would still create uncertainty at the end of the period of time.

Mr. **Ehrenhaft**. It would of course do that, but I think that a 5-year period is sufficiently long for people really to get started in business.

Senator **Danforth**. Well, they could for the first year or two. I would think that at the end of the 5-year period they would get a little bit antsy.

Mr. **Ehrenhaft**. Well, I suppose that it would provide an incentive, then, for all of them to get behind assuring that there would be no reason to change it. The statute could provide that it would remain in effect unless Congress changed it. So there would be a presumption of continuity.

Senator **Danforth**. That's very interesting. I appreciate your testimony—very interesting, very helpful. My guess is that, as a practical matter, even after the *Chadha* case, we are in approximately the same position. Probably exactly the same position, as a practical matter, that we were in before the *Chadha* decision.

Mr. **Ehrenhaft**. Well, I think that one could easily overestimate its importance for this particular measure, as I suggest. I think you are right about that, sir.

Senator **Danforth**. Thank you.

How are you doing, Bob?

Mr. **Herzstein**. Fine. I apologize for being late. I had been told that 10:45 would be OK.

Senator **Danforth**. We are moving with unprecedented speed.

Mr. **Ehrenhaft**. We have been filibustering, awaiting your arrival. [Laughter.]

Senator **Danforth**. Would you like to proceed now, or do you want to get organized.

Mr. **Herzstein**. No, that's fine, if Peter is finished. I have a very short statement.

STATEMENT OF ROBERT HERZSTEIN, ESQ., ARNOLD & PORTER, WASHINGTON, D.C.

Mr. **Herzstein**. Copies of my statement will be handed out to you. I will simply summarize it very quickly, Mr. Chairman.

The Supreme Court's *Chadha* decision has altered the delicate balance of power between the President and Congress in the area of trade relations, and if Congress cannot find a constitutional as well as a practicable way to regain its lost authority it may very well have to discard certain laws—among them, the Jackson-Vanik amendment.

As requested by your staff, I will this morning give you my ideas about the alternatives available to Congress; but before I do that, I would like to point out—as Peter may well already have done—

that there are some respectable grounds for arguing that the *Chadha* decision did not invalidate the legislative veto contained in the Jackson-Vanik amendment.

The extremely broad holding of the *Chadha* decision rests on an extremely narrow factual basis. The statute we are discussing today, the Jackson-Vanik bill, is distinguishable in a number of ways from the statute which was at issue in the *Chadha* case. For example, the *Chadha* case involved the rights of an individual; whereas, here we are concerned with the conduct of foreign nations. In *Chadha*, the Court was dealing with the constitutional power of Congress to enact a uniform rule on emigration. Here, the constitutional delegation of authority gives Congress broad and unencumbered power to regulate foreign commerce. Foreign commerce is clearly a congressional prerogative under the Constitution.

In the *Chadha* case, the decision being made by the House of Representatives was, as Justice Powell points out, a judicial decision. The House of Representatives resolution in the *Chadha* case said that it was the view of the House that Mr. Chadha did not meet the standards set forth in the statute—the sort of decision that normally a court would be called on to make.

In the decisions being made under the Jackson-Vanik bill, the decisionmaker—whether it is the President or the Congress—is essentially making a political decision concerning U.S. relations with a foreign country. I think it's still open to question under the Constitution whether Congress, which has the power to regulate foreign commerce in the first place on political grounds, can't reserve a role for itself in the political decisions made as that program goes forward, rather than having to turn them over irrevocably to the President.

Perhaps the most interesting distinction is that the Jackson-Vanik amendment allows Congress to oversee the use of international executive agreements, which is a Government tool that, like the legislative veto, is not found in the Constitution at all.

With that prelude, let me turn quickly to the three ways that I think Congress has available to retain its control over the extension of nondiscriminatory treatment.

As I have implied, one of the ways is simply to stand pat with the Jackson-Vanik law unless and until it is challenged. But beyond that there are three legislative alternatives:

The first is a report-and-wait provision similar to the Boren-Levin bill that is already pending in the Congress. I think that there is very little question that a report-and-wait provision would be constitutional. It clearly minimizes the burden on Congress, as no action is required if Congress does not object to an extension in a given case. However, that approach would greatly reduce the leverage of Congress over this policy area, since the President can veto legislation disapproving his actions.

The second approach would be to require annual legislation, under which authorization for MFN status would expire each year as it does currently. To extend authorizatin for another year, the President would have to secure implementing legislation from Congress. This approach, too, is clearly constitutional. It would maintain the control over executive actions that Congress currently possesses—control it at least as good as it has with the legislative veto. The main problem with it is that it would increase the workload of Congress by requiring it to adopt additional legislation every year. But I think that problem is minimized by the fact that there are so few decisions to be made under the Jackson-Vanik law. Only three countries presently are. In addition, one could use the fast track system of legislating, in the 1974 Trade Act that has been used so successfully and permit the President to expedite consideration of annual waivers in the Congress each year when he sends them up. So the burden on the Congress would not be too serious, and Congress would retain very effective control over these decisions by the President annually, if it wanted to use that approach.

The final approach that one might consider, although it certainly has its disadvantages, is for Congress to insist that the President enter into treaties, not executive agreements, when he wishes to extend MFN status. That would mean that each year he would have to go to the Senate for ratification of a treaty with the foreign nation, or of the extension of a 1-year treaty, and the Senate of course would have considerable political control, still, over the President's decision in those cases. The disadvantage of that approach is that it cuts the House out completely from a role in this decision, and in addition, since a two-thirds majority of the Senate is required for ratification, it might give excessive power over these decisions to a minority in the Senate.

Those are the three options that I see available to the Congress, Mr. Chairman. As my comments may have indicated, I think the second one, the idea of requiring the President to seek new legislation every year but allowing him to have a fast track available in the Congress, appears to be the best under the circumstances.

Thank you.

Senator DANFORTH. Although it would have an unsettling effect as far as long-term relations are concerned, wouldn't it?

If Congress were required to annually enact legislation, wouldn't that create an unsettling effect on trade relations?

Mr. HERZSTEIN. It gets Congress farther into the process than it is with the legislative veto where it can sort of stand back and not act.

Senator DANFORTH. Well, it says that a relationship automatically terminates every year unless something happens.

Mr. HERZSTEIN. Well, that's true at present; the MFN status terminates unless the President comes up with his waiver.

Senator DANFORTH. That's correct. And if the President then waives it, then the Congress would have to expressly act in order to reverse the waiver.

Mr. HERZSTEIN. That's right.

Senator DANFORTH. Whereas, this would take a full-fledged act of Congress—referred to committee, and each House passed on the floor of each House, going to the President for signature, in order to revive a trade status.

Senator GRASSLEY. Except, Mr. Chairman, for the fact he suggested an expedited procedure for that.

Senator DANFORTH. But it would still require an act of Congress.

Mr. HERZSTEIN. That's right. It certainly greatly increases the ceremony and attention given to the decision each year.

Senator **Grassley**. Mr. Chairman, but in your suggestion, though, it could not be bottled up in committee. For instance, the inaction of the committee could not stop consideration of it. There is no way a small minority or one committee chairman could keep it from being dealt with by the entire Congress. Is that right?

Mr. **Herzstein**. That's right. And I would think—as was the case in the agreements reached under the 1974 Trade Act, there would be a lot of predigestion between the President and the pertinent congressional committees before he even sends his proposal up. So there would be a very good consultative process that goes on, and by the time the proposal is sent up I would think the President would have a pretty good idea whether he was going to be able to get it through or not, as was the case in the ratification of the agreements under the 1974 act.

I thought the 1974 act fast track process did a very good job of forcing very close collaboration between the President and the Congress. And if that's what Congress wants to achieve here, I think it's probably the best tool available to them, although it's not as graceful a one as the legislative veto.

Senator **Danforth**. Let's suppose as a practical matter right now that the administration were to decide—say, as it has to date—that MFN status is to be extended for a period of year to, say, Romania, and Congress were to be in total disagreement with that position and were to take the position that the efficacy of the *Chadha* case is at least in doubt, for the reasons you stated in your testimony, and that *Chadha* may not apply at all. And the Congress would then proceed to, by a resolution, eliminate MFN, in this case for Romania. You have been a high official in an administration. Wouldn't the administration be somewhat reluctant to take on Congress to that extent? It would seem to me that, as a practical matter, given the ongoing relationship between the executive branch and the legislative branch in matters of international trade, the fact that mutual cooperation and accommodation has always been part of the system that we have in trade in this country, and the fact that Congress has in effect delegated responsibility to the executive branch, it would seem to me that it would be very dubious that an administration would want to set up that kind of collision with the Congress on an MFN question.

Mr. **Herzstein**. Are you addressing yourself to the situation under the current law?

Senator **Danforth**. Yes; if we did nothing.

My guess is that where we are now is where we were before, as a practical matter.

Mr. **Herzstein**. I think that's basically right. I would agree with that. If this law remains in effect the way it is written on the books now, I think the administration would continue to consult very closely with Congress and would be reluctant to send up a waiver extension which was likely to run into the veto and then force another constitutional confrontation. Is that what you were saying?

Senator **Danforth**. Yes.

Mr. **Herzstein**. I think that is correct. I think the provision at present would continue to encourage close consultation the way it has in the past. My comments addressed to the possible continued constitutionality simply reinforce that view you have. The fact that there are arguments to be made in support of the validity of the Jackson-Vanik provision would continue to encourage the executive branch to operate as it has in the past. But if this were a provision which is clearly governed by the *Chadha* case and flagrantly invalid, it might be offensive to the executive branch, and it simply might not want to continue working under it.

[Mr. Herzstein's prepared statement follows:]

TESTIMONY OF ROBERT HERZSTEIN

CONCERNING POSSIBLE ALTERNATIVES TO THE LEGISLATIVE VETO CONTAINED IN THE JACKSON-VANIK AMENDMENT

Mr. Chairman: The Supreme Court's Chadha decision, which declares in broad language that legislative vetoes are unconstitutional, has altered the delicate balance of power between the President and Congress in the area of trade relations. If Congress cannot find a Constitutional, as well as practicable, way to regain its lost authority, it may very well have to discard certain laws, among them the Jackson-Vanik Amendment.

I. Current Law

Under the current law, in order to extend non-discriminatory treatment to a country, the President must either (1) submit a report to Congress showing that the country has a liberal emigration policy or (2) waive the emigration policy requirement. This requirement applies to both the initial grant of MFN status and annual extensions of that status.

The President has granted MFN status to three countries under this statutory regime: Romania, Hungary and the People's Republic of China. In each case, the President used his waiver authority. Although the President's initial decision to waive the emigration policy requirements is not subject to legislative veto, the President may not extend MFN treatment to a new country without first entering into a bilateral commercial agreement that meets the requirements of the statute. These agreements are not ratified by the Senate as treaties, but instead must be approved by a majority vote of each House.

Waivers of the emigration policy requirements must be renewed each year. Either House may veto the extension of the waiver authority, generally or for a specific country, by a majority vote within 60 days of the extension.

Thus, although Congress delegated to the President part of its authority to regulate foreign commerce and to lay duties, it retained the authority to oversee the President's actions at specified stages.

II. The Chadha Decision

I would like to point out that there are some respectable grounds for arguing that the Chadha decision did not invalidate the legislative veto contained in the Jackson-Vanik Amendment.*/ The extremely broad holding of Chadha rests upon an extremely narrow factual basis. The statute we are discussing here is distinguishable in a number of ways from the statute at issue in Chadha. For example, Chadha involved the rights of an individual, while here we are concerned with the conduct of foreign nations. In Chadha, the court was dealing with the power of Congress to enact a general rule; here, the Constitutional delegation of authority gives Congress the power to regulate foreign commerce.**/ Perhaps the most interesting distinction is that the Jackson-Vanik

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*/ Indeed, the question of the validity of the veto in this statute is unlikely to arise unless at some point Congress exercises the veto and a U.S. importer brings a lawsuit claiming it is entitled to the MFN rate of duty it could have had in the absence of the veto.

**/ U.S. Const. Art. 1, § 7 (Congress shall have the power "To regulate Commerce with foreign Nations . . . .").

Amendment allows Congress to oversee use of international executive agreements, a government tool that, like the legislative veto, is not found in the Constitution.

III. Severability

Before considering what options may be available to Congress to retain control over extensions of MFN status, some consideration should be given to whether the legislative veto in the Jackson-Vanik Amendment is severable from the statute as a whole. Because the legislative veto provision in the immigration statute was severable, the Chadha decision left the President with the authority Congress had delegated to him. The President may be reluctant to approve new legislation that removes that authority or reinstitutes Congressional control.

I do not believe a court would find the legislative veto we are discussing to be severable. Congress made the legislative veto an integral element of its delegation of authority to the President. Furthermore, there is no severability provision in the Trade Act. Thus, if the legislative veto provisions in the statute are invalid, it is likely that the courts would find the entire statute invalid, and Congress would be less likely to meet with opposition from the President in enacting new legislation.

IV. Congressional Options

I see three ways for Congress to retain its control over the extension of nondiscriminatory treatment: (1) delay the effectiveness of a Presidential extension to give Congress an opportunity to pass legislation blocking the extension; (2) remove the President's power to extend the waiver, thus requiring Congress to pass new legislation authorizing an extension each year; or (3) require the President to enter into a new commercial treaty each year with the advice and consent of the Senate. In choosing between these alternatives, the relevant factors to consider are (A) whether the proposed approach is Constitutional,

(B) the amount of leverage Congress retains over Presidential actions, and (C) the burden imposed on Congress.

A. Report and Wait Provision

I understand that at least one bill has been introduced that would institute the "report and wait" system in all regulatory laws containing legislative vetoes. The advisability of using this system will, of course, vary greatly from law to law.

There appears to be little question that the report and wait system is constitutional; indeed, the Supreme Court suggested its use in the Chadha case.

A report and wait provision certainly minimizes the burden on Congress, as no action is required if Congress does not object to an extension.

This type of provision, however, will greatly reduce the leverage of Congress over this policy area, as the President can veto legislation disapproving his actions. If the President is determined to have his way, a two-thirds majority in both Houses will be required to block extension of MFN status.

B. Annual Legislation

Under this system, authorization for MFN status would expire each year, as it does currently. To extend MFN treatment another year, however, the President would have to secure implementing legislation from Congress.

This approach is clearly constitutional because Congress would be simply taking back Constitutional authority it had delegated to the Executive.

This sytem would maintain the control over Executive actions Congress possesses with the legislative veto.

This approach, however, may increase the workload of Congress. There are several factors to note when considering this burden:

1. Since enactment of the Trade Act of 1974, MFN status has been extended to only three new countries: Romania, Hungary and the People's Republic of China.

Hence, Congress is not faced with a situation, as in the immigration area, in which it may have to review hundreds of cases each year.

2. "Fast-track" legislative procedures, which prohibit amendments, limit debate, and require a floor vote within 60 days, are already part of the Trade Act. These procedures were used with considerable success to give Congress an effective but streamlined role in approving the international agreements made during the Tokyo Round. Congress should be aware, though, that these fast-track procedures are incorporated into the House and Senate Rules. There is a danger that these rules could be changed or suspended in the future, leaving Congress with the burden of enacting approval legislation through the normal process.

3. In order to reduce the burden on Congress of legislating annually, it would be possible to increase the time period of validity of waivers from 12 months to 18 or 24. However, this would markedly loosen the tight rein that Congress has effectively

maintained on waivers and through them on the conduct of the foreign countries concerned. It does appear that this tight rein has had a salutary effect on the emigration policies of these countries.

C. Annual Treaties

Under this approach, Congress would insist that the President enter into treaties, not executive agreements, when he wished to extend MFN status. These treaties would have to be ratified by a two-thirds majority of the Senate, and could not be valid for more than one year.

This approach is clearly Constitutional, and would maintain tight Congressional control over extension of MFN status. It would add to the workload of the Senate by requiring Senate action each year, but would not require any action by the House.

The major difficulties with this approach are the removal of all control from the House and the possibility that a minority in the Senate could block extension of MFN status.

Conclusion

I believe that Congress can effectively maintain its current control over the extension of MFN status through the annual legislation approach, coupled with a "fast-track" mechanism, which I have described. This alternative may not prove to be as feasible for the numerous other statutes containing legislative veto provisions.

Senator **Danforth**. Peter.

Mr. **Ehrenhaft**. Mr. Chairman, I was just thinking about what would happen if I were back there at the Treasury and I then had to apply a customs duty to a particular commodity coming in from Romania, in the event that Congress had adopted a resolution denying the President the ability to continue MFN treatment even though the President had determined to do so.

Under the present *Chadha* decision, I wonder whether the President would direct the Customs Service to apply column-2 duties to imports, which I think he would have to do, or if the administration's views—as I think they have been expressed so far—are that *Chadha* covers this situation, so that the President would not collect the column-2 duties. If he did, I think that it may be possible for the importer to challenge that collection in the Court of International Trade. That would be a way of contesting the President's action.

I think, at least if the administration adheres to the views that it has expressed so far, it is doubtful that it would follow a mere resolution that the President did not also sign. It may be that he would agree, but if he felt strongly the other way I don't think that the mere congressional action would accomplish what you would hope to do.

Senator **Danforth**. Well, except that the question is not what would eventually come up in a hypothetical lawsuit; I think the question is, what is the relationship between the Congress and the executive branch.

I believe that there is a general sense of comity and a general reluctance to create this kind of collision.

Mr. **Ehrenhaft**. I think that's true, but would not the President have considered that when he first proposed continuation of the waiver? He does so, I would assume——

Senator **Danforth**. And that's exactly what would happen. I think that's what happens right now, that there is a consultation, and that there is an understanding.

Mr. **Herzstein**. Yes; I would agree with Peter, that if there is the confrontation and the Congress does veto a Presidential decision, then the President would feel constrained to follow his views of the *Chadha* case. And if he didn't, an importer would certainly have standing to bring a suit.

But the fact is, there has been no veto so far under this law in the years that it has been in place, and if it continues in the future to induce the kind of cooperation that it has, then one would perhaps never reach that.

Senator **Danforth**. Gentlemen, thank you very much. It has been very helpful testimony.

Mr. **Ehrenhaft**. Thank you, sir.

Senator **Danforth**. Mr. Rosenthal?

STATEMENT OF MILTON F. ROSENTHAL, CHAIRMAN, ENGELHARD CORP., NEW YORK, N.Y., REPRESENTING THE ROMANIAN-UNITED STATES ECONOMIC COUNCIL

Mr. **Rosenthal**. Mr. Chairman, thank you very much for giving me the opportunity to appear before your subcommittee this morning.

My name is Milton F. Rosenthal. I am a consultant and director of Phibro-Salomon Inc. and chairman of the Engelhard Corp., as well as a director of various other public corporations.

I appear today, however, as the U.S. chairman of the Romanian-United States Economic Council, a role I have filled since 1975. This council was established in 1973 by the United States and Romanian Chambers of Commerce to provide a channel of communication between business leaders in the two countries. Its members represent a broad cross section of commerce and industry dedicated to the improvement of United States-Romanian commercial relations.

The Council strongly supports the President's decision to continue to extend most-favored-nation status to Romania. Since this was granted in 1975, trade and economic relations between the two countries have developed in a consistent and stable fashion. MFN status has been the linchpin of this process. Despite the recent downturn in trade, we believe that continuation of nondiscriminatory tariff status will lead to a strengthening and expansion of our trade relationship.

With your permission, Mr. Chairman, I would like to depart from the comments I had prepared earlier to reflect a bit upon some of the testimony just given to you with respect to the *Chadha* decision and some of the implications of congressional control over the process relating to MFN.

I am a lawyer by trade, and I could offer a variety of suggestions on that subject; but that's not my responsibility, and I will refrain from doing so. But I have been engaged in international trade and commerce as a businessman for almost 40 years, and based on that experience I would like to suggest that it would be almost impossible to conduct effective trade relationships between nations and between business leaders in different countries if there were to be these spasmodic starts and stops and surges and declines in these business relationships that could be contemplated under a system of control in which no one would be sure that the relationship that he had created, with great cost and great diligence, would not be interrupted past one year.

It is extremely difficult to establish the infrastructure for trade and commerce on any meaningful basis unless there is a longer and more enduring foundation between the parties to those relationships. And believe me, Mr. Chairman, I speak from a very considerable exprience on this subject. I have been the head of one or another large company for more than 30 years, engaged directly in international trade, and I know the problems that we face there.

I, therefore, strongly advocate that whatever solution is eventually decided upon by Congress, you take into account the practicalities of these business relationships.

If I can proceed—early this year it appeared as if the enactment of an education repayment tax in Romania would necessitate the termination of Romania's MFN tariff status. Education is provided at Government expense in Romania. In order to compensate for the cost of this education, the Romanian Government promulgated a decree last November requiring individuals wishing to emigrate from their country to pay the state for the cost of their secondary and university education.

Now, the Romanian Government, to my knowledge, believed that this tax was just and proper, given their system; but the basic fact was that it violated the provisions of the Jackson-Vanik amendment, and therefore it was obvious that the President would and did announce that if the Romanians continued implementation of this legislation, he would not be able by law to continue to extend MFN status to Romania.

Following this announcement, the Commerce Department estimated that if MFN status were lost to Romania over a 5-year period, it would deprive them of foreign currency revenues aggregating approximately $2.5 billion over this period. And it would also destroy their eligibility to receive various U.S. Government credits and credit guarantees. Obviously, this would have a profound effect upon their ability to purchase goods from the United States and, reciprocally, for American business to be able to sell goods and products and services to Romania.

I think it is generally agreed that, were this to have taken place, the consequence would have been a complete reorientation of Romania's trade toward the Eastern countries in Europe and, probably most importantly, toward the Soviet Union. Declining hard currency earnings would also have serious implications for Romania's ability to service their restructured external debt obligations. I think this would be very disturbing to the entire world financial community that has a stake in this, not just the American business community.

The issues created by this decree were very difficult for both governments, and the solution required a great deal of collaboration on the part of all interested parties. On the American side, the executive departments, including State and Commerce, collaborated with leading Members of Congress and with interested business officials to provide the framework for the solution that eventuated. I think this has provided a lesson for us in emphasizing the importance of a continuing open and frank commercial and trade relationship between the parties.

I think I should conclude right now by stating that we strongly support, from the Council's point of view, the continuation of this status for Romania, believing that it is beneficial not only to the Romanian Government but very beneficial to the American business community and to the American Government's interest as a whole.

I thank you very much.

[The prepared statement of Milton F. Rosenthal follows:]

STATEMENT ON THE MOST-FAVORED-NATION TARIFF STATUS FOR ROMANIA BY MILTON F. ROSENTHAL, U.S. CHAIRMAN, ROMANIAN-UNITED STATES ECONOMIC COUNCIL

Mr. Chairman, it is an honor to appear before your Subcommittee this morning. I am Milton F. Rosenthal, Consultant and Director of Phibro-Salomon Inc. and Chairman of the Board of Engelhard Corporation. I have also served as the U. S. Chairman of the Romanian - U. S. Economic Council since 1975.

The Council was established in 1973 by the United States and Romanian Chambers of Commerce to provide a channel of communication between business leaders in the two countries. Its members represent a broad cross-section of commerce and industry dedicated to the improvement of U. S. - Romanian commercial relations. A list of the American membership is attached to this statement.

I appear this morning on behalf of the Council in support of the President's decision to extend most-favored-nation tariff status to Romania. Since Romania was granted MFN status in 1975, U.S. - Romanian trade and economic relations have developed in a consistent and stable fashion. Most-favored-nation status has been the cornerstone of this growth. Despite the recent downturn in trade, we believe that continuation of nondiscriminatory tariff status will lead to a strengthening and expansion of our trade relationship.

Earlier this year, it appeared as if enactment of an education repayment tax in Romania would necessitate the termination of Romania's most-favored-nation tariff status. As you know, education is provided at Government expense in Romania. In order to compensate for the cost of this education, the Romanian Government promulgated in November a decree requiring those individuals wishing to emigrate from Romania to pay the State for the cost of their secondary and university education.

While the Romanian Government believed the tax to be just, the basic fact is that the tax put Romania in conflict with U. S. law as it relates to the retention of U. S. column 1 tariff status. For this reason, the President announced that if the Romanians were to continue implementation of the tax, he would not by law be able to extend most-favored-nation treatment for an additional twelve-months' period.

Following the President's announcement, the Department of Commerce estimated that if most-favored-nation tariff treatment were to be terminated, Romania would lose some $2.5 billion in U. S. export earnings in the next five years. Termination of column 1 tariff treatment, as noted by the Department, would also result in Romanian ineligibility for U. S. Government credits and credit guarantees. Both actions necessarily would have a profound impact upon Romania's ability to purchase from the United States.

The implications of such actions are immense. Many experts agree that if American trade channels were curtailed, Romania would be forced to reorient its trade increasingly toward the Soviet Union. Declining hard currency earnings would also have serious implications for Romania's ability to meet its external debt repayment obligations. All of these actions would have had serious consequences for numerous American corporations, as well as the financial community at large.

It was with these concerns in mind that a number of U. S. members of the Romanian - U. S. Economic Council requested and received meetings with ranking members of the Romanian Government. I too had the opportunity to meet at length with Romanian President Nicolae Ceausescu to discuss the broader implications of most-favored-nation tariff termination. In addition to the positive and constructive nature of these meetings, they served to illustrate the strength and openness of the U.S. - Romanian commercial relationship.

The issues created by the Romanian decree were difficult for both the Romanian and American Governments. The solution required cooperation by all interested parties and, happily. this was forthcoming. On the American side, the Executive Departments, including State and Commerce, collaborated with leading members of Congress and with interested business officials, to provide the framework for the solution.

If there is a lesson to be learned from this controversy, I believe that lesson involves the importance of a positive and open trade relationship. Were it not for the strong commercial ties between our two nations and the resultant channels of communication, this problem might not have had a positive resolution.

A stable trading relationship is generally the product of many years of mutual patience and trust. That which takes many years to develop, however, may be disrupted overnight as a consequence of Governmental trade policy decisions. For this reason, it is imperative that trade be used in a positive fashion in the formulation and implementation of U. S. policy. In this regard, we are most appreciative for the thoughtful and farsighted efforts of this Subcommittee in support of a strong and forward looking bilateral trading system.

Mr. Chairman, let me conclude this statement by again underlining the Economic Council's support of the President's decision to extend most-favored-nation tariff status to Romania. Nondiscriminatory tariff treatment has had and will continue to have a positive impact on the U. S. - Romanian bilateral relationship.

Attachment

Attachment

July 22, 1983

ROMANIAN-U.S. ECONOMIC COUNCIL MEMBERSHIP

Chairman

Milton F. Rosenthal
Consultant and Director
Phibro-Salomon Inc.
and
Chairman of the Board
Engelhard Corporation

Vice Chairmen

John F. Farber
President
ICC Industries Incorporated

George G. Gellert
Chairman
Atalanta Corporation

H. Follett Hodgkins, Jr.
President and Chief
Executive Officer
Lipe-Rollway Corporation

David A. Morse
Senior Partner
Surrey & Morse

Robert D. Schmidt
Vice Chairman
Control Data Corporation

Members

M.L. Burke
Owner
M.L. Burke Company

Simon Chilewich
President
Chilewich Corporation

Douglas E. Ebert
Executive Vice President
Manufacturers Hanover Trust Co.

Sidney Epstein
President
Epstein Engineering Export Ltd.

Richard W. Frankenheimer
President
C-E Trading, Inc.
Combustion Engineering

Stephen Gans
President, VITCO Division
Vitreous International Trading Co.

Albert Gore
Chairman of the Board
Island Creek Coal Company

David R. Goss
Vice President
LSB Industries Inc.

James A. Gray
President
National Machine Tool Builders' Assn.

Claus M. Halle
President, the Europe and Africa Group
The Coca-Cola Export Corporation

Paul H. Hatfield
Group Vice President
Ralston-Purina Company

Carl R. Heeremans
Area Director, Eastern Europe
Monsanto Europe S.A.

Norman Heller
President
PepsiCo Wines & Spirits International

John V. James
Chairman of the Board, President, and
Chief Executive Officer
Dresser Industries, Inc.

Gopal K. Malkani
Executive Vice President
MWA Company

R.C. Megargel
President
General Tire International Company

James Nightengale
President
BNI International, Inc.

W.J. O'Hara
Vice President
Armco International, Inc.

L. Don Perkins
Executive Vice President
The Randall Corporation

John F. Pittas
President
UOP Process Division

John J. Roberts
Chairman of the Board
American International Underwriters

John S. Schwendiman
Manager, International Business Environment
Executive Department
The Dow Chemical Company

Philip H. Seaver
President
The Badger Company, Inc.

Spyros S. Skouras
President and Chief Executive Officer
Prudential Lines, Inc.

Herbert Spitzer
Vice President
Cometals, Inc.

George J. Stathakis
Vice President and General Manager
International Trading Operations
General Electric Company

Christopher E. Stowell
President
WJS Incorporated

Graham Tyson
Chairman and Chief Executive Officer
Dataproducts Corporation

R.J. Wean, Jr.
President and Chief Executive Officer
Wean United, Inc.

David R. Weisman
Executive Vice President
Felton International Inc.

R.D. Wendeborn
Executive Vice President
Ingersoll-Rand Company

Senator **Danforth**. Your view is that trade relations are beneficial to American business, beneficial to the economy of Romania, provides us with a handle to improve relations generally with Romania, and also to improve emigration. Is that the essence of your testimony?

Mr. **Rosenthal**. I certainly do. And I would like to make it also clear, Mr. Chairman, that the members of the Council are just as much interested in human rights and in freedom of emigration as other American citizens are. We do not abandon the American flag when we travel abroad.

Senator **Danforth**. I think it is important to recognize that before and after the *Chadha* decision, Jackson-Vanik is not a paper tiger; that is to say, I think that, despite the fact that we have never overturned a waiver, the reality of the situation is that Congress would under certain circumstances terminate MFN status. And I believe that those circumstances, if they were to exist, would lead determination either before or after the *Chadha* decision. So that is just one point I would like to make, not only reacting to your testimony but also to the testimony of other witnesses.

In this committee and in the Congress as a whole, we do take emigration policies and human rights policies very, very seriously. We do take our responsibility under Jackson-Vanik very, very seriously. We do assume that, with or without the *Chadha* decision, we do have a very strong voice in whether or not MFN status is extended.

I think that the basic decision we have to make right now is, what is our view with respect to Romania? Your testimony is that we are in a better position to encourage emigration if we do extend MFN status than if we do not.

Mr. **Rosenthal**. Very much so.

Senator **Danforth**. Senator Dole?

Senator **Dole**. I have no questions. I apologize—I had another hearing going on, but I have met Mr. Rosenthal and had a good discussion. I think I generally agree with what he has stated.

Senator **Danforth**. Thank you very much, sir.

Mr. **Rosenthal**. Thank you very much.

Senator **Danforth**. Ms. Shea, Ms. Laber, and Mr. Hamos.

STATEMENT OF NINA SHEA, PROGRAM DIRECTOR, THE INTERNATIONAL LEAGUE FOR HUMAN RIGHTS, NEW YORK, N.Y.

Ms. **Shea**. Thank you, Mr. Chairman. My name is Nina Shea, and I am the program director for the International League for Human Rights.

The League is one of the oldest nongovernmental international human rights organizations, founded in 1942 and based in New York. It works on a broad range of human rights issues in such diverse countries as El Salvador, Iraq, South Africa, and East Germany, as well as Romania. The League's family reunification project works currently on behalf of over 500 Romanian families who are unable to leave to rejoin relatives living elsewhere.

My testimony today is based on data concerning 175 of these cases who have appealed again to the League within the past 90 days.

Mr. Chairman, I would like to submit these names to you for you to consider including in the record.

Each case has been systematically documented by the League through a continuing correspondence with close family members in the West, and where possible with the victims themselves.

One hundred and six of these cases reveal instances of particular hardship. Merely for trying to leave, some of these families have faced punishment under the Romanian criminal code. Some have suffered de facto reprisals, and a number have been forced to endure interminable delays in the processing of their exit applications.

The urgency of the circumstances in each of the 106 cases prompts me to draw them to the subcommittee's attention today and to make the recommendation, Mr. Chairman, that before deciding on the Presidential waiver of section 402, this subcommittee strongly urge the Romanian Government to take the following steps:

First, provide information regarding progress on the pending emigration cases described in today's hearing and facilitate their resolution.

Second, undertake efforts to simplify, publish domestically, and insure the uniform application of emigration procedures.

Third, declare null and void the education reimbursement decree in a public statement widely distributed within Romania.

Fourth, put an immediate stop to all reprisals and abusive practices against those who seek to emigrate.

Finally, I request that the members of the subcommittee help those Romanians who have been granted permission to leave and who wish to come to the United States to acquire proper U.S. immigration approval.

Many of the League's cases involve family members who wish to emigrate to join relatives abroad. As a result of travel denials, husbands are separated from wives, and children from parents. Even in the most compelling circumstances, denials are common.

One of the League's cases involves the Petrescu family who wish to go to the assistance of a grandfather who is gravely ill. They are not permitted to leave.

Elizabeth Reiger, another league case, has been trying for 5 years to receive permission to go abroad to visit her father who is ailing; yet, she has not even been able to obtain the forms necessary to begin the application procedure.

In other cases, the applicant needs to travel to receive medical care unobtainable in Romania. Mihai Demeny has applied to go to West Germany for adequate medical attention for diabetes and partial paralysis from which he has been suffering. His daughter who lives there would care for him.

Edith Schuller requires corrective treatment currently unavailable in Romania for a congenital back disorder. She, too, is unable to leave.

The inordinate delays in Romania's emigration application process noted in last year's League testimony continue. Partly responsible are the cumbersome and obscure procedures of the process, coupled with the bureaucratic indifference of officials. Applying to emigrate is a two-level process in which applicants must acquire, submit, and receive decisions on both a short and long application form. A number of individuals have reported to us that even obtaining the forms can be frustrating in a patience-testing process. On more than one occasion, it has been reported to us that after filing the application, one or both of the forms have been lost or filled out incorrectly, such as containing a minor misspelling, giving officials an excuse for requiring the entire process to begin anew.

However, the length of delays in many cases are so extensive that simple bureaucratic inefficiency cannot be blamed. The League has documented 29 cases of families who first applied to leave more than 20 years ago, 17 other families who applied between 20 and 15 years ago, and another 13 families who applied between 15 and 10 years ago.

Some of these families, such as the Jacob Schmidt family, the Philip Weiss family, the Joseph Wenzel family, have submitted as many as 20 applications without success. Many have never received any response to their applications, while others have received flat denials without explanation.

There can be no doubt that such inaction reflects an intent by the authorities to deny citizens their right to leave.

An education tax decree in the past year gives new reason for concern, despite government assurances that it has been suspended. The League has documented over 30 instances in which Romanian families applying to leave have been assessed an education tax.

Just this past spring, one family known to the League, the Possmayers—whose case the League brought to the attention of this committee at last year's hearing—paid the tax, amounting to $3,700. It was readily accepted by the Romanian Government.

To our knowledge, the Romanian Government has not rescinded the decree, nor has it published within Romania any announcement concerning its intention to suspend its provisions.

The League regrets to report that a variety of reprisals against would-be emigrants also continues to be reported by families represented in our caseload.

Mr. Chairman, since I have run out of time, that will conclude my statement.

Senator DANFORTH. Thank you very much.

[The prepared statement of Nina Shea and the list of names follow:]

TESTIMONY OF THE INTERNATIONAL LEAGUE FOR HUMAN RIGHTS ON ROMANIA BEFORE THE SUBCOMMITTEE ON INTERNATIONAL TRADE OF THE COMMITTEE ON FINANCE OF THE U.S. SENATE[1,2]

July 25, 1983

Introduction and Recommendations:

After the 1975 signing of the Final Act of the Conference on Security and Cooperation in Europe ("the Helsinki Accords"), the International League for Human Rights began receiving a steady stream of personal appeals on behalf of Romanians who were denied the right to emigrate to rejoin family members abroad. Out of this has grown the League's "Family Reunification Project." Today the project works on behalf of over 500 Romanian families who are unable to leave to rejoin relatives living elsewhere.

Our testimony today is based on data concerning 175 of these 500 cases who have appealed again to the League within the past 90 days.[3] (See Appendices I and II). Each case has been systematically documented by the League through continuing correspondence with close family members in the West and, where possible, with the victims themselves.

One hundred and six cases have been selected from the overall

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[1] The International League for Human Rights is one of the oldest, non-governmental international human rights organizations. Founded in 1942, and based in New York City, it works on a broad range of human rights issues concerning countries in all regions of the world. Some current League projects address human rights violations in such diverse countries as Nicaragua, Iraq, Chile, East Germany, South Africa, Taiwan, El Salvador and Northern Ireland. The League also works closely with a network of forty affiliates in some thirty countries throughout the world.

[2] The invaluable assistance of Erica Zolberg, Judy Richmond, Ruth Axelrod and Rachel Alekman in the preparation of this testimony is gratefully acknowledged.

[3] Since testifying on July 14, 1983 before the Subcommittee charged with reviewing "Most favored Nation" trade status in the U.S. House of Representatives, The International League has been notified by the Romanian Government that the following five League cases have been granted permission to leave: ANDEICOVICI, Mircea, Elvira, two children; DEFFERT, Horst, Gerlinde, Dietmar; DIACONU, Puiu, Ana-Madalina; NICOLAESCU, Elena, Ioan Catalin; and PIHULEAC, Modest, Lucia. The League urges the Governments of Romania and the United States to expedite the deposition of these families from Romania and, with regard to four of the families, arrival in the United States.

Project because they reveal instances of particular hardship. Merely for trying to leave, some of these families have faced punishment under the Romanian criminal code; some have suffered de facto reprisals; and a number have been forced to endure interminable delays in the processing of their exit applications. The urgency of the circumstances in each of the 106 cases prompts us to draw them to the Subcommittee's attention.

The right to emigrate freely is a requirement of the Jackson-Vanik amendment; it is also guaranteed in basic international human rights instruments.[4] In addition, family reunification is an important provision of the Helsinki Accords.

Senator Jackson, a principal author of the amendment, has described the right to leave as "the touchstone of all human rights" and "the traditional final lifeline for victims of racial, religious, and political persecutions."[5] Our Family Reunification casework has revealed all too poignantly that this is so. This conviction has spurred us to monitor the right to leave in many countries throughout the world, including Romania. It has led us to bring appeals privately before numerous government authorities and in the United Nations. It is prompting us now to plead before this Subcommittee on behalf of 500 Romanian families.

Unfortunately, we have also found that the Romanian emigration process is characterized by arbitrariness, long delay and reprisals. Instead of serving to remedy the plight of the kinds of victims Senator Jackson spoke of, this process is all too often being employed to maintain injustice.

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[4] Article 12 of the International Covenant on Civil and Political Rights, to which Romania is a party, provides that "Everyone shall be free to leave any country including his own."

[5] Congressional Record, December 10, 1975, and June 14, 1977, Senator Jackson.

We, therefore, recommend that before deciding on the Presidential waiver of Section 402, this Subcommittee urge the Romanian Government to take the following steps.

(1) Provide information regarding progress on the pending emigration cases described in today's hearing and facilitate their resolution;

(2) Undertake efforts to simplify, publish domestically and ensure the uniform application of emigration procedures;

(3) Declare null and void the Education Reimbursement Decree in a public statement widely distributed within Romania; and

(4) Put an immediate stop to all reprisals and abusive practices against those who seek to emigrate.

Finally, we request that the Members of this Subcommittee help those Romanians who have been granted permission to leave and who wish to come to the United States to acquire proper immigration approval.

Romanian Laws Concerning Emigration

The right to leave is not safeguarded in Romanian law: it is not mentioned in the current Romanian Constitution of 1965, as amended, and there are no specific domestic laws guaranteeing the right to leave. On the contrary, various provisions stipulate lengthy and complex conditions for acquiring exit visas and passports. In the absence of legal guarantees to protect citizens' rights to leave, the State's claim of the right to control the movement of its citizens goes unchallenged. Under provisions of passport decrees, criminal codes, and civil laws which legislate movement across the country's borders, the State exercises unharnessed power to determine who may leave, when, and under what circumstances.

The Government of Romania frequently assures the international community that it uses these powers in a manner which fully comports with its obligations under international human rights law. It has even gone so far as to state unequivocally that "Romanian citizens are also able to travel to any country in the world for personal reasons or as tourists."[6]

At best this is misleading. The following examination of Romanian domestic law reveals that the right to leave is severely qualified even on the face of the legislation. A review of the League's extensive caseload later demonstrates that these laws are indeed applied to result in an alarming curtailment of emigration rights.

Article 12 of the Romanian Decree on Passports provides for complete government discretion in the issuance of documents for foreign travel. It empowers Romanian authorities to deny or withdraw a passport when "by going abroad, [a Romanian citizen] could prejudice the interests of the Romanian State or affect the good relationship thereof with other states."[7] The vague wording of this decree permits arbitrary denials of passports and contemplates restrictions on the right to leave far exceeding those permitted under international law, namely "those necessary to protect national security, public order, public health or morals or the rights and freedoms of others."[8]

Other legal provisions ensure strict State regulation of movement from the country:

--One decree governing travel limits the validity of exit visas to only six months from the date of issue.[9]

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[6] See e.g., UN document CCPR/C/1/Add. 33, pp. 12 and 13, 31 August 1978, Report of the Government of Romania to the UN Human Rights Committee under Article 40 of the International Covenant on Civil and Political Rights.

[7] No. 156 of March 24, 1970, Article 12 c.

[8] See, The International Covenant on Civil and Political Rights, Article 12 (3).

--Another stipulates that personal travel is permitted only once every two years, with certain exceptions regarding family reunification or obtaining medical care.[10]

--Yet another makes State permission for personal travel contingent on "the limits of available foreign currencies as established for this purpose through the annual State Plan and in accordance with the criteria and preferential order established by the Resolution of Council of Ministers."[11]

--Before being permitted to leave to marry a foreign national, citizens must also seek and receive separate permission to wed from the Romanian Parliament.[12]

There is no possibility for independent judicial review, of State denials of permission to travel. Under the Passport Decree, a commission of the Council of Ministers has final say concerning "all activities of issuing passports and visas, including...resolving the complaints against the decisions taken by the other authorities charged with the issuance of passports and visas."[13]

Those who peacefully try to exercise their right to leave, against Government wishes, face harsh criminal penalties. An unauthorized crossing of the State border, or an attempt to do so, is punishable by imprisonment from six months to three years. Mihai Petrescu, whose case has been documented by the League, was sentenced to eight months imprisonment after his attempt in 1972 to cross the Romanian border without official authorization; although he has fully served the sentence, he continues to be denied

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[9] Decree No. 156 of March 24, 1970, Article 27.

[10] Resolution No. 424/1970, Article 10d, e.

[11] Passport Decree No. 156 of March 24, 1970, Article 15. (Emphasis added).

[12] Civil Code, Article 134

permission to leave. Peter Lung, also among the League's caseload, was apprehended while attempting to cross the Romanian border into Yugoslavia and sentenced to a six-month prison term which ended on June 3, 1982. At that time, because of a hearing problem, he was trying to go abroad for medical treatment which he could not obtain in his country.

Selective Application

As noted above, Romanian law exempts travel for purposes of family reunification and for obtaining medical care from certain restrictions applicable in other cases of personal travel (Resolution No. 424 of 1970). We have found, nevertheless, that in practice travel from Romania is severely and routinely limited irrespective of the would-be traveler's purpose.

Many of the League's cases involve family members who wish to emigrate to rejoin relatives abroad. As a result of travel denials, husbands are separated from wives, and children from parents. Even in the most compelling circumstances denials are common.

The Petruscu family wishes to go to the assistance of their grandfather, who is gravely ill. They are not permitted to leave. Elisabeth Reiger has been trying for five years to receive permission to go abroad to visit her father who is ailing, yet she has not even been able to obtain the forms necessary to begin the application procedure.

In other cases documented by the League, the applicant needs to travel to receive medical care unobtainable in Romania. Cristina Ionescu, herself a medical doctor, has been denied permission to go to the U.S., the only place where she can receive treatment for the disfiguring disease of the adrenal glands from which she suffers. Mihai Demeny has applied

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[13] Decree No. 156 of March 24, 1970, Article 8b.

to go to West Germany for adequate medical attention for diabetes and partial paralysis from which he has been suffering. His daughter, who lives there, would care for him. Edith Schuller requires corrective treatment currently unavailable in Romania for a congenital back disorder. Her sister, Elisabeth Roth, also sought medical care outside Romania. She suffers from paralysis, heart disease, asthma, ulcers, and arthritis.

A Lengthy and Cumbersome Process

The inordinate delays in Romania's emigration application process, noted in last year's League testimony, continue.

Partly responsible are the cumbersome and obscure procedures of the process coupled with the bureaucratic indifference of officials. Applying to emigrate is a two-level process in which applicants must acquire, submit and receive decisions on both a "short" and "long" application form. A number of individuals have reported to us that even obtaining the forms can be a frustrating and patience-testing process. On more than one occasion it has been reported to us that after filing the applications, one or both of the forms have been "lost" or filled out incorrectly--such as containing a minor misspelling--giving officials an excuse for requiring the entire process to begin anew.

However, the length of the delays in many cases are so extended that simple bureaucratic inefficiency cannot be blamed. The League has documented 29 cases of families who first applied to leave more than 20 years ago; 17 other families who applied between 20 and 15 years ago; and another 13 families who applied between 15 and 10 years ago. Some of these families have submitted as many as twenty applications without success (Schmidt, Weiss, Muller, Wenzel, Loris Kreuter). Many have never received any response to their applications, while others have received flat denials without explanation. There can be no doubt that such inaction reflects an intent by the authorities to deny citizens their right to leave.

"The Education Tax"

Last year, the League recommended that Romania "simplify" and "regularize" its emigration process. This has not occurred; to make matters worse, in the past year the Government has added yet a further complication: a new decree imposing a stiff "education tax" on would-be emigrants. Individual payments running into the tens of thousands of dollars have been assessed.

Known as the "Education Repayment Decree" of November 1, 1982, it requires emigration applicants, except those above retirement age, to repay in "hard currency" the cost of education received beyond the compulsory level (10 years of schooling). It is not surprising that this decree has been termed "draconian" by Secretary of State George Shultz. Such sums of money are above the reach of most Romanians who wish to emigrate. Since Romanian citizens are not permitted to own foreign currency, and their own is not convertible, even a well-to-do Romanian family which wants to leave cannot buy its way out without help from abroad. This tax is clearly designed to be a virtually insurmountable obstacle to emigration.

The League has documented over thirty instances in which Romanian families applying to leave have been assessed an education tax. Just this past spring, one family known to the League--the Possmayers (whose case the League brought to the attention of this Committee at last year's hearings)--paid the tax, amounting to $3,700; it was readily accepted by the Romanian Government.

An examination of these cases reveals an arbitrariness in the implementation of the tax which is symptomatic of the overall arbitrariness found in the process of passport issuance in Romania. The tax has not been uniformly applied. Vasile Tolan, Jr., a physician, was assessed an education tax of $32,000. However, the Vlad family, which includes two medical doctors, was permitted to emigrate this Spring without being required to pay any tax.

Although the decree exempts pensioners from the tax, the League has documented at least one instance indicating a breach of this provision. In the case of the Kahles family, the emigration of the elderly parents has been made contingent on the payment of $17,000 for the "reimbursement" of the education received by the couple's son and granddaughter, who also seek to emigrate. Since none of the family is permitted to leave until the tax is paid, the pensioners themselves, in effect, are being subjected to the tax.

Implementation of the education tax decree constitutes a clearcut violation of the Jackson-Vanik Amendment. Under the Amendment, most-favored-nation treatment is not to be afforded "a country which imposes more than a nominal tax on emigration or on the visas or other documents required for emigration, for any purpose or cause whatsoever...."[14]

Such an "education tax" is precisely the type of "ransom" to which Senator Jackson referred in urging the passage of section 402 of the Trade Act.[15] The Jackson-Vanik Amendment was enacted largely in response to a decree in the Soviet Union imposing a similar "diploma tax" on would-be emigrants. Just as Romania's President Ceausescu assured the United States Government on May 18th this year that the "education tax" will not be implemented, the Soviet Union assured the "suspension" of the "diploma tax" in Spring 1973. In the House hearings on the proposed amendment in 1973, many witnesses urged that the mere suspension of the tax would not solve the problem of free emigration. It was argued that "it is the arbitrariness, and not the law of the education tax...which remains the main weapon of the authorities in their selective emigration policy."[16] The League believes that the same problem applies in the case of emigration from Romania. Even now, the Romanian emigration process is fraught with arbitrary, discriminatory, and dilatory practices. The education tax decree, if left intact "on the books" (even if suspended de facto), will still be available to authorities to deter, harass, discriminate against or otherwise subvert the right of Romanians to leave their country. To our knowledge, the Romanian Government has not rescinded the decree; nor has it published within Romania any announcement concerning its intention to suspend its provisions.

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[14] P.L. 93-618, Title IV, Section 402.

[15] Congressional Record, September 27, 1972, Senator Jackson.

Reprisals Experienced by Applicants

At last year's hearings, The League noted that in addition to the problems and frustrations encountered during the application process itself, a large number of applicants are forced to suffer other reprisals and forms of harassment. The International League regrets to report that a variety of reprisals against would-be emigrants continue to be reported by the families represented in our caseload. For some, these practices signify a continued campaign of intimidation against them--the same factors which initially prompted their desire to leave; for others this treatment may mark the beginning of a long and torturous ordeal.

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[16] Fed. Reg., June 6, 1973, Richard Maass, Chairman, National Conference on Soviet Jewry, p. 3666

The forms of abuse found in our documentation include arbitrary arrest and detention; police beatings, surveillance and other types of intimidation; discrimination in employment, education, and housing; confiscation of property; the denial of medical treatment; and, threats of imprisonment or involuntary internment in psychiatric institutions. These reprisals are in themselves violations of the fundamental human rights enshrined in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

At least fifteen of the League-documented cases report that they have suffered harassment at the hands of the police in connection with their desire to emigrate.

One of the most severe cases of reprisals reported to the League concerns the Galalae family. After the head of the household, Dr. Costel Galalae, applied for permission to join his wife and three of his children in West Germany, he was subjected to arrest and imprisonment on two occasions--in February and again in June 1982. In addition there were police searches of his home, and threats and denials of medical care. His patients, colleagues, and friends were repeatedly summoned to the Security Police office where they were forced to sign declarations that he politically opposed the Government. His niece, Paruschiva Galalae, was reportedly beaten by police for refusing to sign such a declaration. During his second period of detention, beginning on June 14, 1982, Dr. Galalae was taken to Poarta-Alba prison, where he was forced to do heavy labor. Despite a diseased liver, for which he has twice undergone surgery, a dangerous heart condition, an abdominal rupture, a brain spasm and fainting spells, he reportedly has received no medical treatment. On October 22, 1982, in Dr. Galalae's absence, an Appeals Court in Constanza sentenced him to four years in prison, reportedly for opposing the Government. After visiting Dr. Galalae in November, his sister has averred that he is between "life and death." On humanitarian grounds, the League urges that Dr. Galalae be permitted to receive competent medical care, as well as allowed to exercise his right to leave the country.

In another case involving reports of police brutality, the applicant, Vasile Tolan, Jr., reports being beaten by the local police after applying for permission to leave. Another example, Margaret Neumann, was summoned three times to the police station at night for interrogation about her desire to leave, during which time her young children were forced to stay at home alone. The Koos, Stefanescu and Wester families report that after applying to emigrate, their telephones have been monitored and their mail intercepted. The Ionescu and Banu families report being threatened by authorities after seeking permission to emigrate. Vasile Tolan, Sr. reportedly was warned that if he persists in his desire to leave the country he will be forced to undergo psychiatric treatment.

Discrimination in Employment and Education

In Romania, the unemployed are often treated as second-class citizens and may even be criminally prosecuted for "parasitism." Therefore, dismissal from employment can be a severe sanction for an emigration application and an effective deterrent for others who might like to apply. A number of individuals in League-documented cases were fired from their jobs soon after requesting permission to emigrate. According to our case files, twelve persons, apparently blacklisted from employment, have yet to find other work although they are skilled in their professions. Included in the

League's group are an aerospace engineer (Bogdan), a hydropower expert (Gane), and teachers (Banhegyi, Blesz, Dengel, Dimitrescu, Kahles, Neumann). The case of Alexander Bogdan is particularly disturbing; an aerospace engineer fired almost two years ago, he reports being shut out of ten jobs in his field, and remains unemployed today.

In other cases, emigration applicants have been demoted to lower-paying positions far beneath their capabilities: for example, professors are being forced to work as unskilled laborers in factories (Ierugan, Ionescu, Schuller); a veterinary surgeon is working as a menial farm laborer (Stefanescu); and a factory foreman has been obliged to perform the tasks of a common laborer (Sollner).

Another work-related reprisal constitutes the transferral of some family members to work-sites located a great distance away from their homes, resulting in the forced separation of families and friends even within the country. Decebal Dimitrescu, an engineer, has been transferred to a job 300 kilometers away from his family and home of 25 years; Stefan Stefanescu, a veterinary surgeon, was moved to a job 140 kilometers from his wife and child; and Mihail Vrabie was demoted to a lower-paying job 150 kilometers from his family.

Students in families applying to emigrate have reported discrimination with regard to education. A number of families report that their children have not been permitted by authorities to enroll in school (Gane, Dengel, Sauer). Gertrude Deffert was informed, after she applied to leave, that she would not receive the academic degree she had earned.

Economic Sanctions

In addition to the economic hardships resulting from job dismissals and demotions, emigration applicants sometimes suffer other economic sanctions which aggravate their position.

These measures include eviction from homes (Galalae) and confiscation of personal property (Wester). Many emigration applicants are deemed ineligible to receive State benefits such as medical and dental care, hospitalization and pensions.

In addition, some applicants, on the basis of Government assurances that permission to leave is imminent, have sold their possessions and resigned from their jobs, only to face long waits before the permission is granted.

Romanian Emigration to the United States

Twenty-one of the League cases have applied for immigration to the United States (Andreiovici, Banu, Barbulescu, Bogdan, Cotruta, Diaconu, Gane, Ionescu, Lupulescu, Miron, Nicolaescu, Paun, Pihuleac, Stan, Strat, Tolan, Tolan, Usineviciu, Vasilescu, Vasilescu, Vrabie). At least five of them are still waiting for United States' immigration approval. (Cotruta, Gane, Stan, Strat, Usineviciu). Two, Sylvia Stan and Sabin Gane, have received permission to emigrate from Romanian authorities and have been issued passports, but have been denied United States visas.

Sylvia Stan obtained her Romanian visa in late 1982 after a three-year wait. She has not been able to leave Romania, however, because the American embassy has not granted her a visa. She reports that every two months she must pay to have her visa validation extended beyond the initial six month limit. She must also pay a tax (1,000 lei) for living in Romania as a non-citizen,--a status she acquired when permission to leave was granted. Her visa will next expire at the end of July, and she is reportedly not entitled to a further extension. Because her desire to go to the United States is well-known, she fears persecution should she be forced to stay in Romania.

Sabin Gane and his two young children want to join his wife and their mother in New York. Mr. Gane received a passport valid for one year, on June 11, 1982. He has not succeeded in obtaining a U.S. visa, however, and his passport has now lapsed. In order to qualify for a new passport, he was told that he must pay an education tax of $20,000. He was dismissed from his position at the Hydro Power Institute in Bucharest on the day he received his passport and reports not being able to get work. He is denied medical care and is being threatened with eviction.

The cooperation of the United States is needed to facilitate emigration and alleviate hardship in these cases.

Conclusion

The right to leave is not secured in Romania. Although a number of Romanian citizens are allowed to emigrate each year, there are many who cannot. The League has documented the cases of 500 families who currently are being denied permission to leave Romania.

Romanian procedures concerning emigration are cumbersome and arbitrary. After applying for permission to leave, Romanian citizens face long delays, discrimination and harsh reprisals. An education tax decreed in the past year gives new reason for concern despite Government assurances that it has been suspended: the cases of some thirty families documented by the League who were assessed the tax have yet to be resolved and bear monitoring.

APPENDIX IA

PRIORITY

CASES:

REPRISALS

LAST NAME	FIRST NAMES	ADDRESS	APPLIED	REFUSED	DESTINATION	SEEKING TO JOIN FAMILY MEMBERS	EDUC. TAX
ALBU	Lucien, 8/28/48 Alia, 6/1/75 Darius 11/6/78	Soseaua Colentina#76 BlocIII, Scara A, Ap32 Etaj 7 Sector 2 Bucuresti 72446 O.P. 11	6/82	12/82	FRANCE	Wife of Lucien	$5000
AWENDER	Susanna, 11/11/52 Georg, 12/6/50 Jurgen, 6/5/73 Erwin 2/2/75	1981 Giarmata Str. Johannei No: 1110 Judetul Timis	7 times between 1972 & 1983.	7 times dates unknown	FRG	Andreas & Johanna Stoffel (parents of Susanna)	
BANHEGYI	Eva Klara 1971 Zoltan 1977	Tirgu Mures Pasajul Violetelor Nr.5 Apartment 23	10/81 2/82	Issued passport application 1/4/83 Received passport 3/24/83	CANADA	Husband Zoltan Banhegyi	$24,450
BANU	Ioan, 10/6/41 Eugenia, 6/28/44 Ligia, 1/22/69 Alin, 8/13/70 Teofil, 12/5/71	Str.Poetului No.6½ Bloc Z4 ScB I Ap.6 Arad,	2/28/78	4/5/79	USA	Ioan's sister Maria Motz	$30,000
BARBULESCU	Dan Mircea, 8/4/50	Intrarea Maior Alexandru Cimpanu nr 6 Bucuresti VIII	10/5/81	12/18/81 9/1/82 4/1/83	USA		
BARTOLF	Elisabeth, 9/29/12 Adam, 7/10/39 Nikolaus, 6/9/35 Hilde, 8/27/38 Norbert, 5/7/61	2952 Semlac 428 Judet Arad,	1961 1964 1967 4/77	1982 1965 1968 9/77 (Nikolaus) 6/78 (Adam & Elisabeth)	FRG	Katharin Schoen, niece	
BINDER	Andreas, 3/23/16 Anna, 10/21/21 Andreas Jr., 9/28/56	Comcata Nr.273 Jud. Brasov Cod.3044	2/28/77 6/6/80	12/4/78 6/15/81 9/5/82	FRG	Sister of Andreas	

LAST NAME	FIRST NAMES	ADDRESS	APPLIED	REFUSED	DESTINATION	SEEKING TO JOIN FAMILY MEMBERS	EDUC. TAX
BLESZ	Josef, 9/12/30 Rosi, 8/30/34 Forst, 3/20/56 Lore, 5/5/59	1995 Ortisoara 312 Judetul Timis	7/80 9/2/81 (#50/51) 10/27/81 (#62/21) 1/22/82 (#361) 8/27/82	Dates unknown	FRG	Maria Blesz, mother	$37,000 for Horst and Lore
BOGDAN	Alexandru, 9/19/53	Bdul.N.Balcescu no.24 B/5 70122 Bucharest.	9/20/80 (241412)	1/22/81 1/5/82 3/23/83 5/20/83	USA	Fiancee Angela V. Nalbantu	$18,500
BOHN	Jakob, 9/20/34 Elisabeta 6/28/35	Communa Tomnatio 458 Judetul Timis	1958 Twelve subsequent applications	1955-8/20/82 & 12 others between those dates	FRG	Desiderius Schaag, father	
CARANICA	Ana-Dorothea 6/5/48 Simona-Gabriela 6/8/75 Felip-Nicolae 12/15/77	Str. Berzei 47 Bucharest	6/18/82 10/25/82	dates unknown	FRG	Mihai Ceranica Husband	$15,700
CIRY	Juliane 10/1/18 Erika 8/14/54	Str.Galilae 20 Timisoara 1900 Fratelia Circ VI	6/20/78 6/80 11/80 2/81 3/8/82	2/22/79	FRG	Brother, Rudolf Ciry	DM9,000
UNKNOWN Daughter & Husband of Tudor Cotruta and their 2 children		UNKNOWN	UNKNOWN		USA	Tudor Cotruta	$7,400

LAST NAME	FIRST NAMES	ADDRESS	APPLIED	REFUSED	DESTINATION	SEEKING TO JOIN FAMILY MEMBERS	EDUC. TAX
DEMENY	Mihai,3/13/25 Hilde,9/7/31	1963 Periam 971 Timisoara			FRG	Daughter Judith Wagner	
DENGEL	Georg. 1/13/44 Elisabeth 9/12/46 Dieter,5/3/67 Edith,5/3/68	Str. Ogorului 27, 2400 Sibiu	1973 1975 1978 1979 2/81 (#27973) 1/3/82	1973 1975 1978 1979 2/81	FRG	Sigrid Schneider	
DEPPNER	Rosina,8/10/12 Andreas,12/14 '02 Rosina, 3/17/32	2463 Seica Mare 122 Jud Sibiu	Dates UNKNOWN	Dates UNKNOWN	FRG	Daughter & sister in FRG	
DIMITRESCU	Ecaterina 9/24/24 Decebal 11/27/24	Episcopiei St. No. 2, Bucharest.	7/79	4/2/83	CANADA	Ecaterina's sister, Eufrosina Marcu	
DIMITRESCU	Razvan Viorel 5/9/51 Mariana 4/29/52 Diana 1/7/78	Miron Constantinescu No. 5 Bucharest	7/79	4/2/83	CANADA	Aunt Eufrosina Marcu	
FAERBER	Peter, 11/12/20 Anna, 8/22/22	1955 Lenauheim 655 judetul Timis	1960	dates unknown	FRG	Katharina Bohn, mother	

LAST NAME	FIRST NAMES	ADDRESS	APPLIED	REFUSED	DESTINATION	SEEKING TO JOIN FAMILY MEMBERS	EDUC. TAX
FISCHER	Hannelore 7/23/58 Horst 4/12/54 Wolfgang 10/14/80 Ramona 1/13/63 Ewald 2/10/59	Comuna Tomnatic 458, Judetul Timis.	12 times since 1958	12 times most recent 8/20/82	FRG	Grandfather Desiderius Schaag	
FRAUNHOFFER	Nikolaus 2/2/24 Elisabeth 11/9/24 Annemarie 6/9/61	Lunga Nr.80 Con. Comlosul-Mare Judet, Timis.	10/10/76 11/78	11/10/77 11/10/79	FRG	Elisabeth Bauer, daughter.	$10,000
FREI	Juliane nee Bartolf, 7/16/46 Inge 9/5/67	2952 Semlac 428, Judet Arad.	1961 1964 1967 4/77	1962 1965 1968 9/77Nikolaus 1/78Frei 6/78Adam & Elis	FRG	Katharin Schoen, niece.	
GALALAE	Costel,1/1/32 Galileo-Dan 1/23/72	Poarta-Alba prison, Constanzu Romania	dates unknown	dates unknown	FRG	wife & 2 sons and 1 daughter	
GALASEAN	Roxana Iulia 5/10/67 Lidia 9/23/68	Banca Nationala Str.16 Bacau 5500	9/16/82 1/8/83	4/15/83	FRG	Drs. Paul & Irina Galasean parents	
GAI[illegible]ER	Michael,1/4/09 Sara, 1/15/12 Horst,8/21/43 Erna, 9/2/46 Ernestine, 3/8/68 Elke, 7/7/70	Str. Gurii nr. 15, 3068 Albesti Jud. Murs Romania	7/30/74	dates unknown	FRG		

LAST NAME	FIRST NAMES	ADDRESS	APPLIED	REFUSED	DESTINATION	SEEKING TO JOIN FAMILY MEMBERS	EDUC. TAX
GANE	Sabin, 11/11/38 Neda-Aline, 11/21/73 Nora, 12/1/78 Ana-Maria, 12/17/79	Str. 8 intr. I.L. Cavagiule sectór 2 Bucharest	Obtained passport 6/11/82	Dates unknown	USA	Sanda Gane, wife	$30,000
GEORGESCU	Dan, 8/7/51	Cihoschi Str.10 2nd Fl, Apt. 9 Bucharest 71134	10/11/82 4/25/83	No answer as yet	SWITZERLAND	Gabriela Sanda Georgescu wife	SFr. 58,000
GOSCHY	Helmuth 3/5/58 Waltraud 5/25/60	1993 Sinandrei No.482 Judet, Timis	12/25/80 1/18/81 4/24/81 12/10/82	3/1/83	FRG	Brother Heinrich Goschy	$20,000
HELLSTERN	Mihai, 9/28/19 Barbara, 3/15/24 Mihai, Jr. 5/15/50	1994 Curani Nr. 16, Judetul Timis,	1971 1981	5 times dates unknown	FRG	Josef Hellstern, son.	
HOMNER	Wilhelm, 3/8/10 Rita, 1/25/14 Sigrid, 2/7/39	Florilor 4 R3050 Sighisoara	1/80	3/15/83	FRG	Ida Homer, mother.	$3,800
HOMNER	Friederike 5/2/20 Hermann 8/10/13	Str. Friedrich Engels 10 R3125 Medias.	9/80	5/82	FRG	Ida Homer, mother	
HUGEL	Anna, 5/7/08 Josef, 10/1/32 Susanna, 8/10/34 Josef Jr. 4/10/62	Giarmata Str. Garii 953 Judetul Timis	1961 19 times subsequently last in 1982	19 times	FRG	Elisabeth Schoch daughter of Anna.	
IERUGAN	Gabriel, 6/14/46 Elena, 5/22/48 Iuliana, 2/19/75 Aurora, 8/2/78	Str. Aurel Vlaicu 156 Bucharest	10/80	2/10/81 5/16/81 8/25/81 3/26/82 6/13/82 (#11849)	France	Horea Augustin Ierugin, brother	$22,400

LAST NAME	FIRST NAMES	ADDRESS	APPLIED	REFUSED	DESTINATION	SEEKING TO JOIN FAMILY MEMBERS	EDUC. TAX
IONESCU	Dr. Cristina Rodica 1/29/48 Victor 2/12/02	30 Traion Str.Apt.C Code 74122 Bucharest, Sector 3	2/2/80	5/22/80 8/25/80 11/4/80 2/2/81 9/17/81 5/28/82	USA	Vasile Lemca	amount unknown
IONESCU	Pancu-Mihai 11/16/49	Strada Amman Mierlei no. 361.7 Sc.A Ap.26 Bucharest 63 Sec.1 Code 71228	9/21/81 1/3/82 over 25 others (#73105)	11/30/81 9/1/82 3/1/83	SWITZERLAND	Gabriel Donescu, sister	
KAHLES	Michael 11/29/08 Anna, 2/16/14	Lunga	1979 dates unknown	no response	FRG	Frieda Deffert, daughter	
KAHLES	Franz, 6/19/34 Adelheid Magdalena Marlene	1980 Cenad NO. 102, Jud. Timis	dates unknown	dates unknown	FRG	Katharina Kopp	$17,000
KALCH	Maria 9/10/53 Monica 7/21/76 Michael 7/6/78 Martina 11/29/81 Mihai, 6/17/51	1995 Ortisoara Nr. 112, Judetul Timis	1971 1981	5 times dates unknown	FRG	brother, Josef Hellstern	
KELLER	Agneta, 7/16/04 Katharina Krampulz 2/11/32 Paul Krampulz 3/13/30 Wilfred Krampulz 10/3/56	Pianul de Jos 202, Judet Alba	dates unknown	10/82 and others dates unknown	FRG	Agneta Kaller, daughter	

LAST NAME	FIRST NAMES	ADDRESS	APPLIED	REFUSED	DESTINATION	SEEKING TO JOIN FAMILY MEMBERS	EDUC. TAX
KILZER	Anna-Maria 12/13/36 Petru 4/28/32 Walter 10/1/60 Magdalena 8/12/08	1981 Giarmata Str. Moris 727, Judetul Timis.	1960 1981	7 times dates unknown	FRG	Elisabeth Knecht, mother	
KLECKER	Eva, 3/5/60	Bd 6 Martie 50 R-1900 Timisoara.	6/18/80	dates unknown	FRG	Eva Seiler daughter	
KNALL	Volkmar, 6/3/52 Irmtrout 1/31/52 Kika,4/24/77	R-3050 Sighisoara Str.6h. Dej.179 Jud.Mures	5/79 2/9/83	Over 20 rafusals dates unknown	FRG	Sigrid Wagner sister	DM 20,000
KOOS	Maria,4/4/55	Codrului Str.2 apt.7 Timisoara	dates unknown	dates unknown	CANADA	Eric Soltan Koos, husband	$3,700
KUMAUS	Katharina 5/25/57 Hans 10/15/54 Heino 6/28/79 Harold 6/22/79	Giarmata Str. Garii 953 Judetul Timis	1961 19 times subsequently most recently 1982	19 times most recently 1982	FRG	Elisabeth Schoch, Aunt	
LEGO	Elisabeth 11/9/60	Lunga Nr.80 Con.Comlosul-Mare Judet.Timis.	10/10/76 11/78	11/10/77 11/10/79	FRG	Elisabeth Bauer grandaughter	
LOCH	Wilfred 6/18/29 Barbara 9/8/35 Martin 10/17/03 Magdalena 4/24/09	Sts.Romanitie Nr.20,1900 Timisoara-Friedhorf	1964 1970 1/8/80 11/20/81 and 20 others	3/30/79 1980 1981 1982		Mrs. Goerlonde Goetz, daughter	

LAST NAME	FIRST NAMES	ADDRESS	APPLIED	REFUSED	DESTINATION	SEEKING TO JOIN FAMILY MEMBERS	EDUC. TAX
LOGDESER	Andreas, 5/14/37 Johanna, 6/23/38 Andreas, 9/14/62 Johanna, 3/17/65 Robert Hans, 6/5/71 Katharina, 4/7/14	2589 Urwegen-Girbova 465 Kreis Karlsburg Alba, Juhia	9/31/81 10/30/81 3/1/83		FRG	Johanna Feyri, mother	DM30,000
LORIS	Matei 12/18/32 Susana 10/14/36	Morii str. No. 842 1981 Giarmata Judetul Timis	since 1961	1961 1977 1978 1982	FRG	Magdalena Weber, daughter	
LUNG	Ana, 9/25/23 Gerhard Peter Anton 10/21/19 Gerhard Peter, 8/29/57	Bd.6 Martie 50 R-1900 Timisoara	6/18/80	dates unknown	FRG	Eva Seiler, sister	
MIRON	Doina, 4/25/57	Str.Bach 1A Sc.C, Ap.52 Sect.2 71436 Bucharest 30	not yet possible		USA	Christian Neculescu	$20,000
NEDELESCU	Emil, 7/7/44 Livia, 2/14/45 Mihai, 5/5/69 Christian, 11/12/74	Calea Grivitei Nr.107, Bl.B Et.I Ap.40 Sektor I R-7000 Bucharest	9/80 10/80 2/81 6/81 1/82 3/82 7/82 2/83	1/81 5/81 7/81 1/82 9/82 3/83	FRG	Uncle, Johann Schmiedigen	
NEUMANN	Margaret 6/18/54 Antje 4/6/77 Hans-Thomas 10/19/80	Nic.Titulescu 27 1900 Timisoara,	10/81 4/82	3/82	FRG	Husband, Hans Neumann	

LAST NAME	FIRST NAMES	ADDRESS	APPLIED	REFUSED	DESTINATION	SEEKING TO JOIN FAMILY MEMBERS	EDUC. TAX
PETRUSCU	Mihai, 2/14/53 Dorothea 1/16/56 Mihai Regan 9/19/77 Barbara 3/22/79	Strada Nova 208 Ghimbar 2251 Brasov	7/18/82	7/23/82	FRG	Grandfather & Aunt of Dorothea	
RADULESCU	Germaina 4/24/25 Nicolae 2/3/35	Str. Stirbei Voda #2 Apt. 120, Et III Bucharest	11/81	3, times dates unknown	FRG	Sofie Kirschban Aunt, & others	unknows sum
REIGER	Elisabeth 8/28/39 Wendelin 8/1/32 Anna 6/21/59	Sinmartin Nr. 217 Judet Arad	1978 & Monthly thereafter	dates unknown	FRG	Father, Anton Kempf	DM7,000 per person
RENG	Friedrich, 5/3/41 Magdalena, 7/1/47 Dietmar, 7/20/70 Arno, 8/25/73	Bd. Leo Salajan 10/16a Sc. B, etaj 7, ap. 24 1900 Timisoara	1961 1962 1964 4/6/77 8/80 5/20/81 (#3126) 9/1/81 (#5042) 1982	4/20/77 4/81 (#7379)	FRG	Peter Bottyen, uncle	

LAST NAME	FIRST NAMES	ADDRESS	APPLIED	REFUSED	DESTINATION	SEEKING TO JOIN FAMILY MEMBERS	EDUC. TAX
RENG	Rosalia, 5/21/09	Str. Circumualatiunii 29/6 ap,106 judetul Timis	1961 1962 1964 4/6/77 8/80 5/20/81 (#3126) 9/1/81 (#5042) 1982	4/20/77 4/81 (#7379)	FRG	Peter Bottyen, brother	
ROTH	Elisabeth 9/14/14	2463 Seica Mare 466 Jud Sibiu	dates unknown	dates unknown	FRG	Daughter, grandson	
SAUER	Erika, 11/30/33 Kurt, 8/21/31 Volker, 11/2/59 Juergen, 2/7/62	Alex. Vlahuta 7 R2400 Sibiu	1/19/65 2/70 3/19/77 7/80	1966 11/8/70 11/81 9/26/81 11/81	FRG	Roswitha Froehlich, sister	
SCHNEIDER	Sebastian 9/24/07 Anna 11/ 4/06 Christof 12/22/33 Barbara 2/29/40 Walter 11/17/63 Erich 2/10/66	Giarmata Str. Violor 594 judetul Timis	9 times between 1965 & 1982	9 times dates unknown	FRG	Daughter, Anna Schmidt	
SCHULLER	Renate 3/13/57 Edith 12/4/61	2463 Seica Mare 122 Jud Sibiu	dates unknown	dates unknown	FRG	Aunt, Uncle Cousins	
SOLLNER	Maria,5/16/34 Martin,2/22/30 Annemarie 6/9/55 Manfred,11/8/69	Communa Sinmartin nr. 11, Judet Arad,	1/14/79 2/17/79 5/27/82 7/21/79 9/20/79 2/10/79 2/25/80 8/19/80 10/7/80 11/7/81 2/17/82 7/27/82 2/1/83 4/19/83	12/3/81 (reg.No. 43092)	FRG	Maria Fackelman, mother	

LAST NAME	FIRST NAMES	ADDRESS	APPLIED	REFUSED	DESTINATION	SEEKING TO JOIN FAMILY MEMBERS	EDUC. TAX
SOLLNER	Martin,6/5/55 Barbara,4/30/59 Adelheid,2/17/82	Communa Sinmartin nr.666 Judet, Arad	1/14/79 7/21/79 9/20/79 12/10/79 2/25/80 8/19/80 10/7/80 11/1/81 2/17/82 5/27/82 7/27/82 2/1/83 4/19/83	12/3/81 (#43092)	FRG	Maria Fackelman, grandmother	
STEFANESCU	Stefan Anton 1/13/48 Liana-Maria 7/27/48 Andrea Bianca 7/25/75	100 Dris- torului Str. Bloc 10A,Apt.2 7000 Bucharest Sect.3, Tel.48- 74-44	12/10/79 (230924) 4/80	12/10/80 3/10/81 4/18/81 6/20/81 8/1/81 12/1/81 3/20/82 7/15/82	SWITZER- LAND	Aristotel & Cornelia Pavelescu, parents	$23,650
STRAT	Gheorghe 5/7/24 Nusa 11/17/27 Teodor 2/7/57	Str.Zugrav Nedelcu 12 1900 Timisoara	11/79 1/80	3/81	U.S.A.	daughter Eugenia Grauzer	$30,000
TOLAN	Vasile,11/19/27 Rolland,4/18/62	Fericirii 15, 3400 Cluj- Napoca, Jud. Cluj.	dates unknown	dates unknown	USA	Son, Victor Tolan	$32,000
TOLAN	Vasile Jr.	Str. 8 Mai Bloc 6, Sc.3 Apt.45 Tg- Jiu, Jud. Dolj,	dates unknown	dates unknown	USA	Brother Victor Tolan	
VASILESCU	Maria Steriana 3/12/50	Strada Cristesco Dimas nr.1 Bloc 105C Apt.46 73324 Bucharest III	4/82	dates unknown	USA	Uncle, Octavian Ghitulescu	

LAST NAME	FIRST NAMES	ADDRESS	APPLIED	REFUSED	DESTINATION	SEEKING TO JOIN FAMILY MEMBERS	EDUC. TAX
VASILESCU	Radu,1/25/52	Soseava Iancului nr. 37, Bloc 103 B.etaj 12 apt.46 73376 Bucharest	2/81 12/9/81 7/5/82 2/16/83	9/28/81 1/5/82 8/6/82 2/19/83	U.S.A.	Octavian Ghitulescu, Uncle	
VRABIE	Mihail Conaliu 1/4/39 Claudia,4/10/74	Aleea Cimpul cuFlori No.2, Bloc D27 Apt.59 6 District Bucharest	3/6/81	2/10/81 5/12/83	USA	Elena Vrabie, wife	$15,70
WESTER	Dittmar Klaus 6/7/44 Maria 3/27/44 Beatrice 6/18/71	Blvd.Lenin 8 apt.7 R-2200 Brasov	1970 annually, last in 1983	1970, 1983 & 10 times in between	FRG	Hellmar Wester, brother	
WOLF	Sieglinde 2/28/60	1966 Comlosul Lunga 126 Jud-Timis	6/80 26 subsequent applications	dates unknown	FRG	Husband Werner Wolf	D.M. 20,00

LAST NAME	FIRST NAMES	ADDRESS	APPLIED	REFUSED	DESTINATION	SEEKING TO JOIN FAMILY MEMBERS	EDU. TAX
BARTH	Anne-Marie 8/9/55 Adam 7/4/49 Karin 5/14/76 Dietlinde 8/3/81	Giarmata 278 judetul Timis	1961	1964 1967 1981 1982 1983	FRG	Eva Tyotsits, sister	
ENGELMANN	Andrei 10/28/37 Magdalena-Katharina 1/10/33	Johannisfeld 262 jude. Timis	1972	Seven refusals, dates unknown	FRG	Nikolaus Engelmann, son	
FARKAS	Eugen 3/31/56 Ana 5/20/58 Bernhard Bruno	communa Voitena 444 judetul Timis	1972	Seven refusals, dates unknown	FRG	Maria Hufflotz, sister	
FROM	Nikolaus 4/14/29 Ana 11/29/32	communa Voitena 444 judetul Timis	1972	Seven refusals, dates unknown	FRG	Maria Hufflotz, daughter	
FUNK	Peter 2/10/29 Eva 4/6/29 Ingrid 12/10/68	1981 Giarmata 278 judetul Timis	1962		FRG	daughter and sister, Katherina Keltor	
GABRIEL	Adam 12/24/36 Charlotte 8/5/41 Udo 3/9/64 Frank 3/15/68 Nikolaus 2/26/1897	Vivar 54 Judétul Timis	4/15/66	11/20/80	FRG	Peter Waldner	
GHERDA	Eugen 3/21/22 Elena Maria 4/3/28 Lucian 5/11/51 Agneta Ekaterina 3/15/55	Frasinului 3 Sc Bap.20 1900 Timisoara	1962	1969 1973 1978	FRG	Father and brother, Konstantin Gherda	
GHERDA	Tiberiu 5/4/55 Olimpia 2/20/56 Robert b. 1980	Str.Barnutiv 46 1900 Timisoara	1962	1969 1973 1978 1982	FRG	Father-Konstantin Gherda	

APPENDIX IB

PRIORITY
CASES:

LONG DELAYS

LAST NAME	FIRST NAMES	ADDRESS	APPLIED	REFUSED	DESTINATION	SEEKING TO JOIN FAMILY MEMBERS	EDUC. TAX
GOSCHY	Josef 12/19/31 Elisabeth 11/18/38 Josef 4/10/59 Ewald 2/4/62	Sinandrei NR 525 Jud. Timis	1964 12/70 1977 7/80	1965 1972 1979	FRG	Agnes Pinzhoffer	
GRIESS	Mariana Ignatz	1981 Giarmata Nr. 863 jud. Timis	1969	8 refusals dates unknown	FRG	Peter Rosar Mathias Rossler	
KILIAN	Matein 7/10/30 Varvara 4/17/34 Vorlevt 5/30/58	Giarmata VII186 Jud. Timis	1965	7 refusals dates unknown	FRG	Berta Kilian	
KRAMER	Matei 10/2/29 Susana 4/20/32 Ana Loris 9/8/01	Giarmata Str. Morii No. 759 Jud.Timis	Several applications since 1962		FRG	Children Suzanne Loris and Matei Kramer	
	also 11 refusals of a tourist passport to visit relatives						
KREUTER	Nikolaus 8/21/28 Elisabeta 1/13/32 Albinger, Ana 12/21/09	Giarmata 215 judetul Timis	1962 and every year subsequent	Twelve times, three between 1980 and 1983, dates unknown	FRG	Elisabeta Schlosser, Suck, daughters	
KRONENBERGER	Petru b.1893 Magdalena 7/5/54 Sabine 7/3/75 Harald 3/31/80	1981 Giarmata 245 judetul Timis	1964	Eight refusals dates unknown	FRG	Nikolaus Weldi, brother	
LAY	Johann 2/16/26 Maria 5/8/27 Peter 9/1/52	Communa Sacalza Str.1 No 38 Jud.Timis	1964	1965 and several times subsequently	FRG	Magdalena Thierjung mother	
LIND	Thomas 10/10/15 Katharina 11/24/12	Covaci 217 Jud. Timis	1964	1965	FRG	Sister	

LAST NAME	FIRST NAMES	ADDRESS	APPLIED	REFUSED	DESTINATION	SEEKING TO JOIN FAMILY MEMBERS	EDUC TAX
LORIS	Anton 3/22/36 Elisabeta 5/20/17	1981 Giarmata 104 judetul Timis	1970 subsequently dates unknown	Nine refusals dates unknown	FRG	Katharina Loris, wife	
MARTIN	Michael 3/02/35 Anna 6/8/36 Elfrieda 6/10/864 Alfred 3/20/59 Elvine 9/5/64	1981 Giarmata 203	1972 1977 1978 1980 1982	Nine refusals dates unknown	FRG	Gertruda Schicht mother	
MUHLBACH	Petru 5/23/13	1955Lenauheim 196 judetul Timis	1967 and weekly since 1/83	Eight refusals, dates unknown	FRG	Helmine Holz, daughter	
MULLER	Christof Magdalena	1955 Lenauheim 196 judetul Timis	1969	eight refusals, dates unknown	FRG	Helmine Holz, daughter	
MULLER	Nikolaus 4/9/31 Elisabeth 12/30/32 Elisabeth 11/19/60	Calea Torontalului 27 Timisoara	1972 Summer/80 every month subsequently	1973	FRG	Barbara Rohrich, sister	
NEISS	Julius 2/8/22 Barbara 10/19/29 Manfred 12/23/52 Ecaterina 2/12/57 Heidi 6/18/79	communa Becicherecul Mic-Satul Dudestii Noi 239 judetul-Timis	1962 1971 1977 1978 1982	1963 1972 1977 1/1983	FRG	Julius Neiss, son	
NIX	Franz 7/20/52 Anna Maria 8/16/54 Eleanora Eva 6/25/75	Str. Nova 98 Giarmata Jud. Timis	1961		FRG	Marianna Wagner Mother	
ORTH	Anna Georg	1981 Giarmata Str. Nona viv.42 judet Timis	1963	13 refusals, dates unknown		Kramer Susanna	
REMMEL	Anton 3/11/10 Eva 1/27/29 Barbara 9/25/02	1961 Simpetra Mic Nr70 Judetul Timis	1960	Seven times, dates unknown	FRG	Walter Remmel, son	

LAST NAME	FIRST NAMES	ADDRESS	APPLIED	REFUSED	DESTINATION	SEEKING TO JOIN FAMILY MEMBERS	EDUC. TAX
ROSNER	Erna Josef Manfred Lother	1961 Simpetru Mic Nr. 70 judetul Timis	1963	13 refusals dates unknown	FRG	Kramer Susanna	
ROSNER	Johann 5/25/27 Eva 2/25/26 Franz 3/5/1899	Str.Noua 98	1961		FRG	Marianna Wagner Mother	
RUTTNER	Peter 3/11/11 Maria 10/28/20	1981 Giarmata Str.Principala 443 judetul Timis	1961	1962 1963 1980 1981 1982	FRG	Erna Hay, daughter	
SCHICHT	Nicolae 6/20/09	comuna 1983 Bencec de Sus 218 judetul Timis	1972	1974 1977 1978 1980 1982	FRG	Gertruda Schicht, wife	
SCHILLER	Eva 12/8/27 Margareta 1/23/12	Giarmata 172 judetul Timis	1961	1964 1967 1975 1981 1982 1983	FRG	Eva Tyosits, daughter	
SCHIPPER	Johann 2/11/27 Barbara 1/29/21 Barbara 11/10/01 Helmut 2/8/66	Com.Biled Nr.91 Uihei Judet.Timis	1970 1980	1971	FRG	Eva Haag daughter	
SCHLOSSER	Jakob 5/29/13 Barbara 9/[illegible]/18	Giarmata 755 judetul Timis	1962 1966 1969 1972	dates unknown	FRG	Josef Schlosser, son	
SCHMIDT	Evald 10/7/54 Elvine 10/19/57 Helmut 8/21/82	Str.Nicolae Andreescu 150 1900,Timisoara VII judetul Timis	1961 1/17/80 every week subsequently	Most recent 5/82	FRG	Leopoldine Hartmann grandmother	

LAST NAME	FIRST NAMES	ADDRESS	APPLIED	REFUSED	DESTINATION	SEEKING TO JOIN FAMILY MEMBERS	EDU TAX
SCHMIDT	Erna 7/5/56 Francisc 5/10/53	Str. Nicolae Ardreescu 150 1900 Timisoara VII	1965	7 refusals, dates unknown	FRG	Leopoldine Hartmann, grandmother	
SCHNEIDER	Adam 2/4/26 Ecaterina 12/14/27 Matei 4/9/59	1981 Giarmata Nr.3 Jud. Timis	1963	9 refusals, dates unknown	FRG	Halmen, Annemari (daughter	
SCHNEIDER	Annemari 2/26/55 Michael 6/1/50 Evelin 12/2/74	Giarmata No. 950 Jud. Timis		1962	FRG	Josef & Anne Zeich	
SCHUMMER	Matei 7/15/16 Rosina 7/22/20 Josef 11/16/44 Margareta 5/31/54 Claudia Iris 4/19/71 Harold Erich 7/3/73	Andrei Nicolaeson Nr.36Timisoara	1964		FRG	Kosalia	
SINK	Ioan 11/1/24 Mariana 4/22/31 Edgar 6/17/72 Silke 4/28/76	1981 Giarmata 854 Judetul Timis	1969	Nine times refused, dates unknown	FRG	Anna Kassnel, daughter	
STEFAN	Ion 3/12/28 Ecaterina 3/30/29 Ecaterina 8/24/07 Eva Janch 4/20/57 Jósif Janch 1/15/57	1981 Giarmata No.187 Jud.Timis		1961	FRG	Mathias Stephen (son)	
STEFAN,	Jakob 8/28/1890 Matei 2/16/15 Ecaterina 7/22/22	Giarmata No.572 Jud. Timis		1961	FRG	Jakob Stephen (son)	
WEISS,	Fulop 6/29/05 Margareta 4/15/09	Covaci 71 Judetul Timis	1972 summer /80 every month subsequently	1973 1979	FRG	Barbara Rohrich, daughter	
WELDI	Francisc 9/2/33 Ana-Maria 8/16/33 Geier b. 1914	1981 Giarmata 273 judetul Timis	1964	Eight refusals, dates unknown	FRG	Nikolaus Weldi,	
WENZEL	Etelca 10/17/34 Iosif 6/11/32 Ramona 10/20/67	Str. Nicolae Andreescu, 15 1900 Timisoara VII judetul Timis	1961 1/17/80 every week subsequently		FRG	Leopoldine Hartmann, mother	

LAST NAME	FIRST NAMES	ADDRESS	APPLIED	REFUSED	DESTINATION	SEEKING TO JOIN FAMILY MEMBERS	EDUC. TAX
WOLF	Manfred 7/2/50 Elfriede 11/20/52 Michael 3/21/74 Monika 6/27/77	1865 Sinnicolaul Mare-Statia Electrica Judetul Timis	1960	Seven times dates unknown	FRG	Walter Remmel, brother	
ZEICH	Georg 7/8/29 Eva 11/22/29	Giarmata No.950 Jud. Timis		1962	FRG	Josef & Anna Zeich (Georg's Parents)	

APPENDIX II

OTHER APPEALS
RECEIVED IN THE
LAST 90 DAYS
(APRIL-JUNE 1983)

LAST NAME	FIRST NAME	ADDRESS	FIRST APPLIED
BROOS	Kurt-Fritz Mark-Sigrid Corina	9 Mai St. 24 Sibiu Hermannstadt	1/21/71
BRAUN	Sofia-Emilie	9 Mai St. 24 Sibiu Hermannstadt	5/31/77
MAYER	Wilhelm Luisa Willi Rudolf Luisa	Str. Haripiei No. 6 Scara B ap. Z.R. 1900 Timisoara Colea/Sagului jud. Timis	Date Unknown
MAYER,	Katharina	Spl.T Vladamirescu 32 1900 Timisoara	10/5/78
GYORBIRO	Adelheid Julius Alexandra	Plata Romanilor 8 Timisoara	4/79
ORNER	Jakob	Zorilor 12 1800 Lugoj jud. Timis	1981
STIRNER	Heinrich Ada Gerhard	Str. 23 August 8 2475 Agnita jud. Sibin	12/80
TELEKI	Mihaly	Str. Narciselor 4 4300 T6 Mures	—
USINEVICIU	Elena-Lelioara	Str. Matei Basarab 100 Rimnicu-Sarat jud. Buzau	8/82-short forms
TUTUNARU	Corina	Faurei Str. 5 Bloc C ap. 143 Bucharest	10/80
HAMES	Anna	Str. Triumfului 3 Timisoara	3/20/80
FEISTHAMMEL		1468 Teremia-Mica 18 jude. Timis	4/77
MARTIN	Aurelia Frederic Aloisia	Str. GH. Lazar 21 Bloc Fl, Scara A ap.15 Timisoara	10/79

LAST NAME	FIRST NAME	ADDRESS	FIRST APPLIED
PAUN	Loria Mihaela	Str. Minotaurului 71 Sec. 5 Bucharest	8/80
KIRCHGAESSNER	Peter Helen Herbert	1955 Lenauheim No. 433 jud. Timis	Unknown
BEITZ	Elisabeth Johann	Str. Snagor 25 Timisoara	1964
LUPULESCU	Leia	Str. Cerna nr. 19 Timisoara	1980
STOIADIN	Baltazar Anna Alfred Rosvita	Giarmata, str. Sifoanelor Nr. 339 judetul Timis	1961
BIEBER	Katharina Joseph Monika Erwin	Calea Sagului 74 ap. 26 1900 Timisoara	1/13/64
KNOEBEL	Maria Alfred Arno	Str. snagor 25 Timisoara	1964
MUSSLER	Ingrid Erwin Rosa	Str. J Vladimirescu 4 1953 Jimbolia jud. Timis	4/26/81
HAAS,	Johan	Giarmata No. 586 judetul Timis	8/14/81
VOGELHUBER	Georg	Str. 10, No. 31a Kreis Hermannstadt Grossau, Sibiu	8/81
DAN	Catalin Carmen Matei	Str. Radu Cristian Nr. 4 Et. 1 Ap. 7 Bucharest	5/23/81
SCHMIDT	Elisabeta Jakob Margareta Kristine Barbara	Giarmata Str. Johann 1107 Timis	1975
RUZICSKA	Barbara	Giarmata Str. Johann 1107 Timis	1975

LAST NAME	FIRST NAME	ADDRESS	FIRST APPLIED
SEHL,	Anna	Giarmata 318 judetul Timis	1959
NIKLAS	Anneliese	Comuna Peciul Nov 436 judetul Timis	9/81
PELGER	Susanne	2442 Sura-Mica 94	8/28/81
KARSAI	Zoltan	B'dul Lenin 25 Cluj-Napoca	Summer 1980
POPESCU	Ioan Viorica Radu Ecaterina	Str. General Carnat 17 Bucharest Sect. 1	6/7/80
NEISMANDL	Nicolae Ana Ana	Comuna Tomnatic 713 judetul Timis	1978
FLAGNER	Gerlinde Hans	Str. Abatoruui 8 R-3125 Mediasch jud. Sibiu	Unknown
ROEMERS	Roland Erika Arno	2221 Risnov strada Fieriton 62 jud. Brasov District Kronstadt	Unknown
SAUSMANN	Josef Ecaterina	Str. GH.DOJA Nr.1 1900 Timisoara	1/16/79
FISCHER		Bul. 8 Mai 139 Or. Sacele jud. Brasov	10/4/82
ENACHESCU	Cristian	Str. Serdarului 13 Bloc 48, ap. 211 Bucharest sector 1	11/2/81
KIRCHER	Franz Magdalena	Orawiza Str. Mircea 3 jud. severin	Unknown
ZETTO	Franz Marianne	Lugorsh str. Unisi 1.	Unknown

LAST NAME	FIRST NAME	ADDRESS	FIRST APPLIED
MICHELBACH	Adolf Heidrun Rainer Renate-Alice	1985 Masloc 279 jud. Timis	12/4/75
SEILER	Margareta	1985 Masloc 279 jud. Timis	12/4/75
BOTTESCH.	Johann Maria Astrid Renate	Str. Deva 31 R-2400 Sibiu	11/22/80
KESSLER	Edda	Str. 13 Decembrie Nr. 30 ap. 17 1900 Timisoara	4/80
DEPNER	Johann Sara Johann, Jr.	3042 Ticusi 457 judetal Brasov	11/7/78
PETRUS	Emilia Andrei	Str. J.J. Rousseau 5 ap. 3 3400 Cluj	1981
LIPPET	Ioan Margaretha	1963 Periam 553 judet Timis	10/14/82
LOEW	Emma Werner Herbert	Str. Justitiei, 14, jud. Sibin	8/78
SCHUMM	Vasile Rolf Emmy Anneliese	Str. Justitiei 14 jud. Sibin	8/78
CZAKO	Josef Julianna	3050 Sighisoara Str. Plopilor 24, et. 3, ap. 14	2/79
SCHMIDT	Anneliese	R-2458 Apoldul de sus Nr. 352 judetul Sibin	—

LAST NAME	FIRST NAMES	ADDRESS	FIRST APPLIED
ADORIAN	Sofia Gabriela Virgil Simona	74655 Aleea Blocurilos 4 Bloc. M 42 Et.4 Ap. 17 Sec.4	1980
BINDER	Anneliese	Str.Labirint 12 Apt. 59 Circumvaltinuii 3 1900 Timisoara	4/4/81
BRANTSCH	Udo Rosemarie Udo Rolf	2261 Sercaia 198 Kreis Brasov	2/24/77
COCRON	Elisabeta	Comuna Tomnatic 693 Judetul Timis	1975
STEFANI	Richard Marianne Christian Uwe	Str. Scoala de Inot 18 2400 Sibiu	11/19/79
STREITMATIER	Carol	Str. Brincoveanu 12 Lugoj	1979
TRENDLER	Michael Maria Johann Charlotte Thomas Johann Maria Ignatz Margaretha Schwarz, Anna	str. Cehov 17 1900 Timisoara	unknown
URBAN	Nikolaus Elisabetha Knobl , Wiltsaud	Str. Snagov 25 1900 Timisoara	1965

LAST NAME	FIRST NAMES	ADDRESS	FIRST APPLIED
FREKOT	Andreas Ewa Ernst Annemarie Sonja	Bulevardul Plavati 110 1900 Timisoara	unknown
FRIEDRICH	Wilhelm Hermine Bruno	Str, Tomas Ionescu 4 Medias	5/12/81
FROMBACH	Elisabeta Ioan Elisabetha Ioan Erika Melane	Giarmata 318 Judetul Timis	1959
GARTNER	Katarina	1938 Peciul- Nou Nr.175 Judetul Timis	unknown
GEMES	Alexander Barbara	1954 Grabati Nr. 226 Jud-Timis	6/1981
HEIB	Nikolaus Katahna Ewald Anneliese	Str. Tigruliu 45 1900 Timisoara	3/79
KERST	Johann Herta Dietmar	Dinicu Golescu Str.4 2400 Sibiu Judetul Sibiu	11/17/76
KLEIN	Anna-Theresia Tiberiu	Suceava 14 Offic. Post 8 1900 Timisoara	1/29/82

LAST NAME	FIRST NAMES	ADDRESS	FIRST APPLIED
KLUSCH	Wolfgang Peter Anneliese Manfred	Calugareni Str.5 2400 Sibiu	1/78
KOCH	Dr.Friedrich Matthias Angelika Susanne	unknown	unknown
KRAFFT	Michael	Str. Caraiman 44 R-2221 Jud. Brasov	11/4/81
KRAUSS	Inge Dittmar Udo	Neculuta Str.14 2400 Sibiu	3/81
LENHARDT	Hans Glas Maria	1938 Peciul- Nou 175 Judet, Timis	1980
MIESS	Andreas Hildegard	Str. Caraiman 19 R-2221 Risnov	10/12/79
MUELLER	Helmut Norma	HipodromIII bloc 89 apt. 32 2400 Sibiu	1979
MULLER	Sigrid Fritz UteChrista ElkeHeide	Str. Prof. Span Nr. 1 Sibiu	2/78
MULLER	Wilhelm Elisabeth Wilhelm Lisbeth Ditmar Krista Anita Bernd	Str. Apararii 3 2437 Cisnadie	1981
NEUBAUER	Martin Katharina Hildemarie Michael Gerlinde	Tirnavioara 120 3158 Copsa Mica Judetul Sibiu	unknown

LAST NAME	FIRST NAMES	ADDRESS	FIRST APPLIED
POLLING	Lotte Helmutt Bettina Martina	comuna Tomatic 199 judetul Timis	1969
ROTH	Rozalia Nicolae Horst	comuna Tomatic judetul Timis	1969
ROTH	Francisc Magdalena	comuna Tomatic 232 judetul Timis	1969
ROTH	Hilda Johann Hans Werner Ortwin	Ormenis 29 Judetul Mures 3088	unknown
SCHENKER	Sofia Sofia	2417 Miercurea- Sibiu Nr.16 judetul Sibiu	9/80
SCHMIDT	Christine Margareta Jakob Elisabeta Barbara	1911 Giarmata Str. Johann 1107 judetul Timis	1975
SCHMIDT	Hildegárd	Calugareall Str.5 2400 Sibiu	12/80
SCHREIBER	Peter Margareta Helmuth Hartwig Maria	comuno Tomatic judetul Timis	1976
SCHULZ	Dietmar	Str. Filipescu 5 1900 Timisoara	9/82
SKERBEK	Walter Dora Gudrun	Str. Nova 208 Ghimbav 2251 Brasov	7/18/82

STATEMENT OF JERI LABER, EXECUTIVE DIRECTOR, HELSINKI WATCH, NEW YORK,

Ms. **LABER**. Thank you very much.

My name is Jeri Laber, and I am the executive director of the U.S. Helsinki Watch Committee. We are a nongovernmental organization dealing with the human rights compliance in the 35 Helsinki signatory countries.

We have published reports on a number of these countries, not just members of the Warsaw Pact but also Turkey and Yugoslavia, and we have also criticized violations in Western Europe and the United States as well.

In June of this year we published a 45-page report on human rights violations in Romania. I would like to submit that today, if I may, in addition to my written testimony.

[The report follows:]

Romania: Human Rights in a "Most Favored Nation"

June 1983

A Report by the U.S. Helsinki Watch Committee

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ACKNOWLEDGMENTS

This report was prepared by Catherine Fitzpatrick, a member of the staff of Helsinki Watch.

The assistance of the J. Roderick MacArthur Foundation in publishing this report is gratefully acknowleged.

We are grateful to the following organizations and individuals for materials used in the preparation of this report:

Amnesty International. *Amnesty International Briefing: Romania*, 1980. *Amnesty International Report 1982: A Survey of Political Imprisonment, Torture and Executions. Hungarian Prisoners of Conscience in Romania*, November 1978.

Committee for Human Rights in Romania. *Human Rights Violations of Helsinki Final Act Provisions Protecting the Rights of National, Religious and Linguistic Minorities*. Testimony submitted to the United States Commission on Security and Cooperation in Europe, 1980.

East Watch. *News Update*, May 1983.

International Human Rights Law Group. *U.S. Legislation Relating Human Rights to U.S. Foreign Policy*, Third Edition, September 1982.

International League for Human Rights. *Testimony Before the Subcommittee on International Trade of the Committee on Finance of the United States Senate*, August 10, 1982.

Karatnycky, Adrian; Motyl, Alexander J.; Sturmthal, Adolph; *Workers' Rights, East and West*. New York, Transaction Books, 1980.

L'Alternative. *Romania: Crisis and Repression*, Special Issue, January, 1983.

League for Industrial Democracy. "ILO Reports: Romania," *Workers Under Communism: A Journal of Information and Analysis*, Fall 1982, Number Two.

League for the Defense of Human Rights in Romania (Ligue pour la defense des droits de l'homme en Roumaine). *Application of Decree 402*, April 4, 1983.

Minority Rights Group. *Report No. 37: The Hungarians of Romania*, by George Schopflin, August 1978.

Radio Free Europe. "Situation Report: Romania," *Radio Free Europe Research*, Vol. 8, No. 19.

Tamas, Gaspar Miklos, "The Position of the Hungarian Minorities in the Neighboring Countries." *Violations of the Helsinki Accords: A Report from Hungary*, International Helsinki Federation for Human Rights, May 1983.

United States Congress Commission on Security and Cooperation in Europe. *CSCE Digest*, September 8, 1982; February 2, 1983; March 15, 1983.

United States Department of State. *Country Reports on Human Rights Practices for 1982*, February 1983.

United States Senate Committee on Foreign Relations. *Human Rights Issues in United States Relations with Romania and Czechoslovakia: A Staff Report*, April 1983.

PREFACE*

I was invited to Romania in October to attend a conference on "The Future of the Helsinki Process." The conference, sponsored by an independent, New York-based institute, included as participants government officials and prominent scholars from Eastern Europe, Western Europe, the United States and Canada.

To underline the importance that the government attached to the event, an invitation was extended to all participants to meet with President Nicolae Ceausescu on the morning after the conference ended. Unfortunately, a tight traveling schedule made it impossible for me to extend my stay and attend that meeting.

Instead I left with several other participants on October 10, 1982. We were chauffeured to the airport, where we were met by several helpful and deferential aides who ushered us into an official visitors' lounge. There we were offered coffee and comfortable chairs in which to wait while they took care of the exit formalities. Our spirits were high, as is often the case with Westerners about to pass through the Iron Curtain to more congenial capitals in the West.

Suddenly, one of the aides reappeared and asked me to accompany him; supposedly there was a message for me. I was led into the office of the chief militia officer, a heavyset man in a brown uniform who rose behind his desk when I entered. With both of us standing, he proceeded to conduct a 10-minute interview with me, using the services of a slight, thin-voiced young interpreter who stood at his side.

"You entered Romania on October 5 as a tourist, several days before the conference at Lake Snagov."

"I did."

"We have received reports from Romanian citizens that while you were in Bucharest you saw people and broke our laws."

"I was not aware that it was against the law to speak with Romanian citizens."

"It is if you discuss the sort of problems you discussed with them."

Not knowing his intentions, I was not about to initiate a protracted dialogue. Thus, I refrained from asking exactly how he knew the substance of my discussions with Romanian friends. Instead, I stood and listened as he explained, a cold smile on his face, that if I were to come back to Romania to talk to "discontented people about problems," I would not be welcome in his country.

I thought about my "contacts" in Romania - a handful of people, friends of friends, whose names I had hastily assembled before my departure. Because of my interest in human rights, it is not surprising that my Romanian friends in the West would direct me to people with similar concerns in Romania.

Despite warnings to me before I left that I would be followed in Romania ("all foreigners are"), that my phone conversations would be tapped ("all telephones are"), and that people would be too frightened to talk to me ("each Romanian citizen must report every contact with a foreigner within 24 hours"), and also despite an obvious display of police force throughout the city, I was not aware of being followed. As a participant in a conference at which human rights would be a major topic, I had assumed that placing restrictions on my freedom would be counterproductive. Indeed, numerous references by the militia officer to my attendance at the conference led me to believe that, had I not been a conference participant, I would have been subjected to much rougher treatment.

Instead, we stood facing each other across the desk while I wondered about the real purpose of the interview. Then the message was delivered: "The people with whom you visited have brought their problems on themselves," I was told. "But if you choose to discuss their problems when you return to New York, they will have more problems."

Well, Mr. Militia Man (whose name I did not have the comppsure to ask), your program of intimidation has worked. I am not writing about the pathetically few visits that I was able to arrange in Bucharest, from which I learned nothing that hasn't already been well documented in the West. Instead, I am writing about my meeting with you. It reveals more about the state of free expression in Romania than any report that I might have written about my conversations with your countrymen.

Jeri Laber

Executive Director
U.S. Helsinki Watch Committee

*This Preface is adapted from an article that appeared in The Los Angeles Times on December 15, 1982.

I. INTRODUCTION

Romania is the only Warsaw Pact country that has taken foreign policy positions that diverge from official Soviet dictates. The first Eastern bloc country to establish diplomatic ties with Western Germany in the 1960s, Romania has departed from Soviet policies in maintaining close relations with China after the Soviet-Chinese rift and with Israel after the 1967 war. Romania has taken issue with the Soviet Union on the invasions of Czechoslovakia and Afghanistan, the imposition of martial law in Poland, and the continued deployment of SS20 medium-range nuclear missiles in the USSR.

In an effort to encourage Romania's independence from Soviet orthodoxy, the United States has given Romania substantial trade benefits under the most-favored-nation tariff status (MFN) which Romania has enjoyed since 1975 and which ensures that tariffs on goods imported from Romania are no higher than those on imports from Western trading partners.

Section 402 of the Jackson-Vanik Amendment to the 1974 Trade Act, however, links the continuation of the preferential tariff policies of MFN directly to the maintenance of a humanitarian emigration policy. Because of this, Romania's repressive emigration practices have been increasingly called into question during the annual MFN hearings in the U.S. Congress, and the continuation of

Romania'a MFN status has become more and more unjustifiable. Whenever MFN has come up for renewal, the Romanian government has made some timely but token gestures by releasing some political prisoners or resolving certain family reunification problems. On the whole, however, Romania's internal policies have deteriorated to the point where Romania is now one of the worst human rights offenders in Eastern Europe.

Although Romania's restrictive and punitive emigration policies have been the focus of considerable attention in the United States in recent years, abuses of the right to emigrate should not draw attention away from some of the conditions that make people want to emigrate in the first place. Thus, in addition to discussing Romania's emigration policies, this report also deals with other areas of human rights in Romania - political prisoners, freedom of expression, workers' rights, religious freedom and minority rights - as well as threats to Romanian emigres abroad. Abuses in each of these areas contribute to a generally deplorable human rights situation in Romania at the present time.

This report has been prepared in connection with President Reagan's June 3, 1983, recommendation that MFN should be extended to Romania for another year. It sets forth the facts of human rights abuse in Romania with the hope and expectation that members of the U.S. Congress will use their considerable leverage with Romania during Congressional Hearings on MFN to help bring about significant improvements in the Romanian government's treatment of its citizens.

II. ROMANIA AND MOST-FAVORED-NATION STATUS - BACKGROUND

Romania was granted most-favored-nation tariff status (MFN) by the United States in 1975. Romania and Hungary are presently the only Warsaw Pact nations that have this special status which means in essence that tariffs on imports from Romania and Hungary are the same as tariffs imposed on goods imported from our Western friends.

In 1981 the United States imported about $550 million worth of Romanian goods and sold Romania about $503 million in products under MFN trade tariffs. Trade for the next fiscal year may reach $600 million. Romania stands to lose about $250 million if MFN is revoked, a loss of hard currency that it can ill afford at a time when it already owes about $10.5 billion to Western creditors.

Section 402 of the Jackson-Vanik Amendment to the 1974 Trade Act directly links the preferential tariff policies of MFN to the emigration policies of the recipient country. The amendment was introduced in 1974 in a successful effort to prevent enforcement of a Soviet education tax. According to this amendment, countries that prevent emigration or tax their emigrants more than a "nominal sum" do not qualify for MFN.

Romania's MFN status is renewed annually. Each year, 30 days before the expiration of MFN, the President must certify to Congress that Romania is practicing a humanitarian emigration policy in order for MFN to continue. Congress may veto the President's recommendation for MFN by House Resolution. If the President recommends against MFN, Congress would have to enact special legislation to grant the status. In previous years the President and Congress have agreed that despite Romania's poor emigration practices, continuation of MFN best serves humanitarian objectives in Romania and they have voted to waive the Jackson-Vanik stipulation.

Although the Jackson-Vanik Amendment refers specifically to a country's emigration practices, the spirit of the amendment has been interpreted to include the human rights situation as a whole. The Congressional hearings for Romania have become a forum in which Romania's human rights record is reviewed. Eager to see MFN continue, Romania has made concessions with regard to human rights during MFN review periods. Indeed, a pattern has developed in which Romania makes small human rights improvements during the MFN review period and then, after MFN is renewed, lapses back into its previous disregard for human rights and for any assurances it may have made to the U.S. government.

In June 1982, prior to last year's MFN review, President Reagan informed Congress that unless the Romanian government allowed a significant increase in emigration, it would be in serious danger of losing MFN. This was the strongest high-level U.S. criticism of Romania since MFN was granted in

1975. Nevertheless President Reagan, after weighing humanitarian concerns "within the context of the satisfactory state of overall U.S.-Romanian relations" recommended that MFN be renewed for another year.

MFN hearings were held in the House of Representatives by the Subcommittee on Trade on July 12-13, 1982. Senate hearings were held by the Subcommittee on International Trade on August 10, 1982. During these hearings, members of Congress and of nongovernmental human rights organizations criticized Romania's emigration and human rights records and called for credible assurances that Romania would improve its practices.

During the interim between the House and Senate hearings, Romania took several hasty measures to demonstrate human rights concerns. Levels of monthly emigration from Romania were raised and a number of outstanding cases of interest to members of Congress were resolved. Eleven political prisoners who had been imprisoned for smuggling Bibles received amnesties. Romanian officials agreed to meet with U.S. government officials and representatives of American Jewish organizations to discuss ways of improving emigration practices.[1]

At the August 10, 1982, Senate hearing, Senator Dole noted that the improvement in processing emigration applications stemmed from the Romanian government's concern about losing MFN and that violations of religious and minority rights continued unabated. Nevertheless, the U.S.

Congress recessed in mid-August without disapproving Romania's MFN status, thereby affirming President Reagan's June 2 recommendation that MFN be renewed for another one-year period.

It subsequently became known that just ten days before the House MFN hearings, 12 Romanian men were tried _in camera_ for submitting a collective petition to emigrate. All 12 were convicted of "associating for the purpose of committing an offense of the disturbance of the public peace" and sentenced to three years of imprisonment. They appealed, but on September 21, 1982, after MFN was extended, the sentences were confirmed. Some of the men were reportedly amnestied in December 1982, but several are still in prison.

In the fall of 1982 it was rumored that the Romanians were planning to impose an education tax on emigrants. Elliott Abrams, U.S. Assistant Secretary of State for Human Rights and Humanitarian Affairs, met with a Romanian deputy foreign minister in Bucharest in October 1982 and stated that Congress would withdraw MFN if an emigration tax went into effect. He was assured by Romanian officials that there would be no tax. The substance of these discussions was revealed to the U.S. press, perhaps in an effort to ensure that the Romanians kept their promise.

The Romanian government's November 1, 1982, announcement of an emigration tax came as a surprise to the U.S. government, especially after the assurances that had been made to Mr. Abrams. President Reagan urged President Ceausescu to rescind the tax and during the next several months a number of high-level talks on the subject were held in Washington and Bucharest. But the Romanian government was adamant about implementing the tax.

On March 4, 1983, President Reagan expressed his concern that the Romanian government was implementing an education tax which "conflicts with the letter and the spirit of Section 402 of the Trade Act of 1974 which is intended to remove bariers to freedom of emigration." The President declared his intention to terminate Romania's MFN status and other benefits as of June 30, 1983, if the education decree remained in force on that date.

On May 18, 1983, after another series of high-level meetings, Romania informed the United States that it intends to stop imposing the education tax. On June 3, 1983, President Reagan announced that MFN would be renewed for Romania for another year because of assurances he had received from President Ceausescu about dropping the education tax.

Past experience has made it difficult to trust the Romanian government's promises. Moreover, by agreeing not to enforce the education tax, the Romanian government apparently seeks to draw attention away from emigration and other human rights violations which had endangered MFN long before the education tax became an issue.

III. EMIGRATION

The Romanian government does not recognize the right of citizens to leave and return freely to their homeland as guaranteed by the Helsinki Final Act and the U.N. Declaration of Human Rights. The only official purpose for which emigration is allowed by the Romanian government is family reunification. Thus most Romanians who are permitted to emigrate have relatives in Western Germany, the United States or Israel.

Procedures for emigration from Romania are plagued with lengthy, bureaucratic delays and arbitrariness. Romanian citizens who apply to emigrate to the West are subjected to extensive harassment and treated like foreigners in their own country. Romania's introduction of an education repayment decree last year has effectively prevented educated persons from applying to emigrate. These problems have been compounded for those seeking to come to the United States because U.S. immigration law has fixed a quota for Romanians that is far below the number of applicants.

a. Applicants for Emigration

Despite Romania's restrictive emigration procedures, substantial numbers of Romanians have been allowed to depart for the West in recent years. Since 1972, the number of emigrants has more than doubled, reaching about 18,000 in 1982. This is currently the highest emigration figure for any East European country, yet it is believed to represent only a small proportion of Romanian citizens who wish to emigrate. Widespread discontent with economic and civil rights conditions in Romania has led to Romania's high emigration figures, rather than a "liberal" policy on the part of the authorities.

There is no complete list of Romanian citizens who want to emigrate or have been refused permission to leave Romania, although the Romanian Rabbi Moses Rosen and various American Jewish organizations do have comprehensive lists of Romanian Jews who wish to emigrate to Israel. The American Embassy in Bucharest estimates that about 9,000 Romanians have applied to emigrate to the United States but have not received permission from Romania.[2]

Ethnic Germans, with a population of roughly 348,000, make up the second largest minority in Romania, after the Hungarians. In 1978, Romania made an agreement with West Germany not to allow the annual level of emigration for ethnic Germans to drop below 11,000, the total for 1977. In 1982, approximately 12,000 ethnic Germans emigrated to West Germany, the same number as for 1981.

Approximately 2,450 Romanians of various ethnic backgrounds emigrated to the United States in 1982, as compared to 2,350 in 1981.

Jews leaving for Israel make up roughly 10 percent of all those emigrating from Romania. In 1982, 1,600 Romanian Jews left for Israel, in comparison with 1,200 in 1981, and 800 in 1980. Although the totals of Jewish emigration have been increasing in recent years, yearly totals have dropped from a high of 4,000 in the 1970s. This may be explained by the fact that the Jewish population is declining in Romania. At the end of World War II, there were 450,000 Jews in Romania; today 32,000 remain, and some 350,000 Romanian Jews are living in Israel.

b. Education Repayment Decree

On November 1, 1982, the Romanian government decreed that an education tax would be levied on all prospective emigrants. The decree provides that all citizens under retirement age wishing to emigrate must repay the state - in hard currency and at the rate of about $2,500 per year - for the cost of their education beyond the compulsory 10 years. The fee may range from several thousand dollars for the equivalent of a high-school education to $40,000 for a medical degree. According to the decree, "the sums shall be established by the application of rates laid down by law for foreigners who themselves pay for their studies in the Romanian Socialist Republic."

Unlike the 1973 Soviet emigration tax decree, the Romanian tax must be paid in hard currency - Soviet citizens paid in rubles - and it is far higher.

The decree also provides that the property of emigrants will be confiscated or subject to compulsory sale to the state at prices fixed by the state. From the date an individual receives permission to leave Romania to the actual date of his departure, he must pay all taxes and medical expenses in hard currency, as if he were a foreigner.

According to the decree, repayment for education and other goods and services must be made after permisssion to emigrate has been granted, but before delivery of the passport. This leaves room for bureaucratic delays. Anyone trying to evade these regulations by leaving illegally or by failing to return from a trip abroad will be sued, either in Romania or abroad, until his debt to the state is paid.

Romania's lei is not convertible, and according to Romanian law, it is a crime for private citizens to hold foreign currency. Accordingly, the education tax effectively prevents most citizens from emigrating, except for the few emigrants who have wealthy relatives abroad.

Although the Romanian government presented the decree as a matter of "ethical principle" that emigres should "reimburse society for the material efforts expended," there is reason to believe that the Romanian government's motives were more complicated. A realistic concern with the "brain drain" resulting from emigration was revealed in Romania's initiative in proposing a resolution by the Group of 77 to the U.N. General Assembly concerning financial compensation for the "exodus of educated persons from the developing countries." Meeting this concern is a complicated matter which, in the case of Romania, might have to include mitigating the political and economic conditions that make emigration desirable. Instead of confronting the complex questions, the regime attempts only to discourage the huge number of prospective educated Romanian emigrants or, as an alternative, seeks to be compensated for their emigration with much-needed foreign currency.

It may also be that President Ceausescu had in mind the possibility of using the education tax as a bargaining chip, something that could be repealed or not enforced as a sign of "good will" when most-favored-nation status came up for renewal. And indeed, on May 18, 1983, Romania informed the U.S. that to avoid losing its tariff status, it intended to stop imposing the tax on prospective emigrants.

Before May, however, according to the U.S. State Department, at least two dozen cases were reported concerning enforcement of the tax. The Paris-based League for Defense of Human Rights in Romania has also reported a number of cases in which the education decree was enforced, including in which the education decree was enforced, including the following:

-Sergiu Eretescu (str. Drumul Taberei 83, Bucharest), brother of C. Eretescu of Providence, R.I., USA, was advised in February 1983 to pay a sum of $18,000 to emigrate.

-Dr. Elena Petronela Neagoe and her son Calin Petru Neagoe (Piata Victoriei 9, Cluj Napoca), wife of Dr. Aurel Neahoe of Dusseldorf, West Germany, received permission to emigrate in August 1982 but in March 1983 the authorities refused to deliver their passports and demanded payment of $23,000.

-Ana Roata and her son Toma Roata, wife of Toma Roata of Brussels, Belgium, have been assessed $5,000.

-Cornelia Takacs Koppandi, her husband Stefan and son Pavel(Hipodrom III, bl. 48, Sibiu), sister of Ileana Stefanescu of Paris, France, assessed $15,000.

-A group of 67 Banat Swabians (ethnic Germans) addressed an appeal to the U.S. Congress and the Madrid Conference, stating that they wish to emigrate to West Germany and are being asked to pay up to 10,000 DM -even for uneducated persons-in order to emigrate.

c. Reprisals Against Applicants for Emigration

The education tax is only one of the many obstacles the Romanian government has set up for would-be emigrants. The Romanian government has also reneged on a 1982 promise to the U.S. Administration that all applications would be processed in six to nine months, that delays would be eliminated between receipt of permission and actual departure, and that prospective emigrants would no longer be harassed.

Throughout 1982 and the first quarter of 1983, considerable delays continued in the processing of emigration applications. Those who applied to leave Romania were frequently deprived of their jobs or places in schools, denied food coupons, and forced to pay for medical expenses in hard currency. Some were evicted from their homes, their household goods confiscated without compensation. Some individuals were jailed for publicly protesting refusal or delay of permission to emigrate. There have also been reports that individuals have been prevented from contacting the American Embassy in Bucharest to obtain assistance in emigrating. For example, in both July 1981 and June 1982, Gheorghe Brasoveanu and his wife were seized by the police as they approached the American Embassy where they had been invited to discuss their applications to emigrate; they were arrested, held for half a day, and told that the police would prevent any future attempts to visit the U.S. Embassy.

Since the Romanian government signed the Helsinki Final Act in 1975, Romanian citizens and their relatives abroad have increasingly turned to the U.S. Congress, the State Department, and private human rights organizations with pleas for help in gaining emigration permission. In 1982, the New York-based International League for Human Rights presented to a Congressional subcommittee documentation concerning the cases of 275 families, including 43 considered "hardship" cases. Nine of these families had been attempting to emigrate for more than 15 years. Just before the League testified at MFN Congressional hearings in August, 1982, the Romanian authorities reported that approval of departure had been granted for 15 families on the League's list, including several long-standing hardship cases. After the Congressional hearings, the Romanian authorities granted emigration permission to several more hardship cases that had been featured in the League's report. Nevertheless, since last August, the League has received approximately 200 new cases; many of the 275 cases presented before are still unresolved.

The League has documented many instances of red tape and harassment affecting those who apply to emigrate from Romania. A small sampling would include:

-authorities sometimes refuse even to issue emigration applications or deliberately misdirect applicants from one office to the next or even from one city to the next.

- blank pieces of paper are sometimes used as application forms, and if these are lost, the applicant has no way of proving that he ever submitted an application.

- a single misspelling has been used as a pretext to force an applicant to begin the entire cumbersome procedure over again.

- the persecution of emigration applicants has resulted in separation of families even within Romania: some applicants have been transferred to jobs 100-250 kilometers from their homes. Families are split because not all members can find work in the new location or the entire family cannot find housing together, and single parents are forced to leave their children behind.

- children are denied entrance to school after their parents apply to emigrate. Degrees have been withheld from students who have applied to emigrate.

- applicants frequently are subjected to house searches, police interrogation, surveillance, and even questioning of children by police in one case. Authorities tamper with the telephones and mail of applicants.

At the worst end of the spectrum of repression, persistent applicants are incarcerated in psychiatric hospitals (see also Political Prisoners).

- Ioan Sachelarie, professor of literature and language, was committed to a psychiatric hospital and forcibly administered neuroleptic drugs. He was pronounced mentally incompetent and diagnosed as suffering from "emigration fantasies." His case was resolved satisfactorily and he was allowed to emigrate from Romania.

Also of concern are the unresolved cases of former political prisoners and other active dissidents who have suffered repression and have indicated their desire to leave Romania. Romanian authorities are reluctant to allow dissidents to go the West, afraid perhaps that their criticism may attract international attention.

-Fibia and Maria Delapeta (Str. Carpinis Nr. 13, Jud. Hunedoara), sisters, aged 28 and 25, members of Romanian Orthodox Church, arrested October 1981 for unauthorized receipt from abroad and distribution of Bibles. Sentenced in December 1981 to five years of prison, but amnestied in July 1982 while MFN review was in progress. They continue to be harassed and seek to leave Romania.

-Paul and Pauline Dragu and four children (Str. 8 Martie Nr. 5, Tirgu-Jiu), members of Church of the Brethren. First applied to emigrate to U.S. in 1979; after repeated denials went on hunger strike in January 1982. For this, Paul was sentenced to 6 months on "parasitism" charges; Pauline was sentenced to 4 months but released after 10 days. Still under harassment.

-Vasile and Elisabeth Paraschiv (Str. Basarabilor 5, Sc. G. Apt 12, Ploiesti), trade union activists, formerly interned in psychiatric hospitals. Seek exit visas.

-Frs. Dumitrescu, Cernat-Emeric, and Negruita, three Romanian Orthodox priests of Lugoj. Denied permission to preach for religious activism; now performing menial labors. Seek exit visas.

d. Problems in Entering the United States

An incongruous situation has now arisen in which the United States is urging Romania to facilitate emigration, but is unable to accept all the emigrants under existing U.S. immigration regulations.[3] In the mid-1970's a special Third Country Processing program (TCP) was started for Romania. Under this program, Romanians with exit visas who did not qualify for admission to the U.S. as immigrants were permitted to travel to Rome for processing as "refugees" by the U.S. Immigration and Naturalization Service. At that time there was no limit on refugee admissions to the United States. The 1980 Refugee Act, however, established a quota of 2,300 for Romanian TCP admissions in 1982, and of 1,200 to 1,300 admission for 1983. The American Embassy in Bucharest has reported a backlog of more than 1,000 persons who have received exit documents and are awating passage to Rome. An additional 8,000 to 9,000 Romanians are estimated to have applied for the TCP program but have not been issued exit visas by the Romanian government. In order to deal with the backlog of cases, the TCP was suspended in September 1982 and those who applied between January and September 1982 were informed that their admission to the United States could not be guaranteed, and that they may have to wait for as long as two years for processing.

The U.S. government must find a way to eliminate these bureaucratic immigration policies and allow Romanian emigrants to enter the United States. The Senate Foreign Relations Committee has suggested that the backlog of pending TCP cases could be eliminated within two to four years if numbers for Soviet or other refugees whose actual admissions fall far short of authorized admissions are temporarily shifted to the TCP.

IV. POLITICAL PRISONERS

The number of political prisoners in Romania is not known. Although many of those who are incarcerated are being punished for seeking to leave Romania illegally or for protesting the denial of exit permission, others have been imprisoned because of their religious or human rights activities. There is no due process, and prison conditions are deplorable. Although information is scarce, there is reason to believe that forcible confinement in psychiatric hospitals is frequently used to punish people for the legitimate exercise of their rights.

a. Imprisonment of Those Seeking to Emigrate

It appears that many political prisoners are charged with applying to emigrate, or with publicly protesting denial of exit visas, or with attempting to leave Romania without official authorization, usually after permission to emigrate has been repeatedly delayed or denied. Attempting to cross the border illegally is punishable by six months to three years of prison or corrective labor. An application to emigrate frequently leads to loss of employment, which may be followed by charges of "parasitism" for not being employed -an offense punishable under Decree 153/1970 by up to six months' imprisonment or by compulsory corrective labor.

Some typical cases adopted by Amnesty International during 1982 follow:

-Elisabeth Simut, 26, of Dubraveni, arrested in June 1982 while attempting to leave the country without authorization and sentenced to six months' imprisonment. She had repeatedly applied for permission to join her husband in West Germany since 1979 and had been refused.

-Ioan Duda, 33, Seventh Day Adventist, of Bucharest, arrested in August 1982 while trying to cross the border, reportedly sentenced to one year in prison.

-Gheorghe Sirbu, arrested in November 1980 near the Yugoslav border as he attempted for the third time to leave Romania without permission. He was reportedly attacked by border guard dogs and beaten so severely by security agents that he was hospitalized. Sentenced in April 1982 to 10 months of forced labor at a work site in Bordei Verd. Escaped from there and again tried to leave Romania by trying to cross the Danube to Yugoslavia with diving equipment. He was caught and arrested.

-Silvia Tarniceru and Elena Boghian, sentenced in March 1982 to 15 months of prison for trying to leave the country without permission.

-Mihai Filip, 27, married with one daughter, of Suceava, refused permission to emigrate in 1978; applied again in 1979, dismissed from his job and sentenced to three months corrective labor. He attempted to swim across the Danube to Yugoslavia in May 1982 and was arrested by the Yugoslav authorities, returned to Romania in October 1982 and imprisoned in Craiova Prison. Seven other Romanian citizens who left Romania without permission were arrested in Yugoslavia and returned home at the same time as Filip: Ioan Bistriceanu, Gheorge Dan, Nelu Galcan, Crastea Mateiasevici, Grigore Nemes, Ion Panaite, Nicolae Polmolea. They are believed to be still in prison.

-Vasile Preda, first arrested in 1978 for demonstrating to obtain emigration permission and served three-month sentence; re-arrested in July 1979 on trumped-up charges of attempting to murder his infant son, and now serving eight-year sentence. His parents and siblings are in the United States.

Some individuals serving less than five years, including Tarniceru and Boghian, mentioned above, were pardoned and released during amnesties in August and December 1982.

These cases illustrate the frustration and isolation that provoke Romanian citizens to take dangerous steps to obtain their freedom. Romanians who indicate their desire to emigrate become social pariahs, deprived of their jobs, denied food coupons, even evicted from their homes. They become so desperate to leave the harsh conditions in Romania, particularly after repeated denials, that they are willing to risk swimming the Danube or flying crop-dusters over the border.

b. Denial of Due Process

Romanian law does not provide for habeas corpus and there is no legal remedy for persons held without charge. According to Romanian law, trials may be closed to the public and often are, particularly in political cases to avoid international publicity. Defendants are allowed access to lawyers but are not given adequate time to prepare a defense. Emergency trials have been used to try and sentence a defendant in less than 48 hours after arrest. Defendants charged with "parasitism" are given summary trials without legal defense.[4]

c. Prison Conditions

The U.S. State Department in its Country Reports on Human Rights Practices for 1982 describes conditions in Romanian prisons as poor, unsanitary and overcrowded. Prisoners are given an inadequate diet and subjected to long working hours and minimal medical care. Sometimes prisoners are punished by confinement in isolation cells and are denied visits with their relatives for as long as six months at a time. One former political prisoner told Helsinki Watch that prison was "like death:"

> There are six persons in one room. We had cabbage, potatoes, no meat, no bread, only polenta. There was sand in the food. Everyone became ill with syllicosis. You can't sit during the day. They wouldn't allow me to receive the clothes my wife brought me. The exercise yard was 3 square meters.

Prisoners frequently resort to hunger strikes to protest inhumane conditions.

d. Psychiatric Confinement

The State Department reports that there are unconfirmed accounts of confinement and forcible treatment of dissidents in psychiatric hospitals because of their beliefs or activities.[5] Several such cases have come to the attention of Helsinki Watch:

-Mihai Moisa, 47, reportedly confined in the spring of 1982 to Jebel Psychiatric Hospital. First incarcerated in July 1980 in Constanta Psychiatric Hospital after returning from living several years in France. In August 1980 he protested in front of the Central Committee that assurances that he would be provided with work and lodging had not been met. He was arrested and held until December 1980 and then released.

-Mihai Baba, late 20s, repeatedly applied to emigrate, arrested in February 1982 after a public hunger-strike in protest of denial of his exit visa; reportedly being held in the psychiatric section of Hospital No. 9 in the commune of Berceni near Bucharest.

V. FREEDOM OF EXPRESSION

There are no human rights monitoring groups in Romania. Efforts to form a Helsinki group in 1977 by writer Paul Goma ended in his expulsion from Romania and the arrest and imprisonment of his associates. The government policy has been to exile or imprison virtually all citizens who attempt to organize "watch" groups, or gather and disseminate to the West information on rights violations.

The Romanian government maintains one of the most closed societies in the Soviet bloc. The security police actively discourage contacts with Westerners and even other East Europeans, especially Hungarians. Citizens who risk speaking out publicly, publishing or distributing literature unofficially, or meeting with foreigners, are severely punished.

a. Control of Publications

The government maintains complete control over publication in Romania. Unlike Hungary, Poland, or Czechoslovakia, Romania does not appear to have a network of underground publishing or samizdat, independently printed works published in defiance of government censorship. When a group of Hungarians started a samizdat journal in Transylvania, it was said to be the first such periodical to appear in Romania.

Romanians who have sent petitions to the West, in particular to the Helsinki review talks in Belgrade and Madrid, have been detained, interrogated, imprisoned, and exiled. The Department of Cults enforces strict guidelines concerning the publication of religious materials, and unauthorized importation or distribution of such literature is prohibited and punishable by fines and imprisonment (see also Religious Freedom).

b. Registration of Typewriters and Duplicating Machines

An April 1983 government decree prohibits the possession or use of typewriters or duplicating machines by Romanians who have a criminal record or who pose a "danger to public order or state security." Private citizens are now required to register with the police any typewriters they already own or which they purchase in the future. Samples of the type face will also be recorded. This decree is clearly designed to discourage dissenters from writing or duplicating samizdat literature.

c. Limits on Mail and Telephone Contact

International telephone calls in particular are monitored in Romania, and mail between Romania and the West is confiscated, read, and sometimes destroyed. In 1982, the Romanian government initiated a tax equivalent to 20 percent of an average monthly salary on citizens' telephone bills when more than one call was made to a destination outside Romania.[6] This tax clearly discouraged citizens from calling friends and relatives abroad. Romanians seeking to emigrate and ethnic groups with relatives outside Romania have been particularly hard hit by this tax.

d. Restrictions on Contacts with Foreigners

More than any of the East European countries, Romania discourages its citizens from having contact with foreigners or with relatives abroad. Many Western visitors have reported widespread fear among ordinary Romanian citizens about contact with foreigners. This makes it particularly difficult for Western journalists and human rights workers to gather information about human rights abuses in Romania.

By all accounts, the Romanian secret police, the Securitate, are the most pervasive in Eastern Europe, and may hold the world's record for numbers per capita.[7] Their high visibility and efficiency helps to enforce the prohibitions on contacts with foreigners, intimidating both Romanians and Western visitors.

In 1972, the Romanian government enacted a decree requiring citizens to report all contacts with foreigners within 24 hours. This decree appears to be enforced vigilantly, although it has not entirely discouraged some Romanians from cautious contacts with foreigners.

Foreigners are not permitted to stay overnight in the homes of Romanian citizens. Decree 225/1974 stipulates that tourists who are not Romanian citizens cannot lodge in Romanian homes, with the exception of members of the immediate family. The decree is punishable by fines ranging from 5,000 to 30,000 leis and is strictly enforced by the Romanian police.

London Sunday Times reporter Michael Dobbs gave a humorous account of his 10-day trip to Romania in 1980, where he calculated that at least 150 plainsclothesmen and 75 cars, with back-up from uniformed militia, were employed to keep track of his movements. In a letter to the chief of the

Romanian secret police, Dobbs wrote:

> My chief criticism of your agents is the incompetence of their attempts to be inconspicuous...Your men in the delightful Hungarian-accented city of Cluj in Transylvania were particularly talented at drawing attention to themselves. One flattened himself theatrically against the wall as I drove past...I appreciate that it is sometimes difficult for your agents to blend into a background of say, Moldavian peasants in traditonal costume in a village church and it's bad luck when a five-year old child rejects the company of a secret policeman pretending to be his father. Still, I do feel you could instruct your agents to act more naturally...

Not all Westerners travelling in Romania have been able to treat their experiences with such humor, however.

-On February 11, 1982, Bernard Poulet, a French journalist, tried to visit the home of Vasily Paraschiv, a worker activist, who had been reported to be missing or arrested. Poulet was attacked and badly injured by plainclothes agents, and his notebook and tape recorder were stolen. No one came to his assistance, although the incident took place near a police station.

-In 1982, two American pastors were expelled from Romania after attempting to get in touch with fellow Christians.

-Jeri Laber, Executive Director of Helsinki Watch, attended an international conference in Bucharest in October 1982. Upon leaving, she was summoned by the militia and told that because she had paid visits to private citizens in Bucharest, she was no longer welcome in Romania. Ms. Laber was also warned that her friends would be in serious trouble if she reported the substance of their conversations.

It is not always possible to learn about the harassment of Romanians who speak with foreigners. But some cases have come to the attention of Helsinki Watch:

-Dorin Tudoran, a poet who resigned from the Writers Union in protest of restrictive policies, was summoned to the Party offices in September 1982 for talking to a French journalist and not reporting the contact. Tudoran arranged a subsequent meeting and reported it to the Writers Union in advance. He was then warned not to attend the meeting, but went anyway, only to find six security officers blocking his way.

-The State Department has reported that the Romanian authorities strictly control attendance by Romanian citizens at functions sponsored by foreign embassies in Romania, and that those who attend regularly have been interrogated, detained, and sometimes physically assaulted.

VI. RIGHTS OF WORKERS

Several thousand Romanian workers have suffered government reprisals for going on strike, and a number of free trade union activists have received jail sentences or been sent into exile.

a. Restrictive Labor Legislation

Article 27 of the Romanian Constitution guarantees the right to associate in trade unions, but Article 7 restricts such associations by establishing that the "leading political force in society is the Romanian Communist Party." Section 164 of the Labor Code states that official General Trade Union Confederation bylaws are the only legitimate basis for all trade union activity. (Romanian law does not mention strikes, since presumably they would not occur in a socialist society.)[8]

The 1981 Report of the International Labor Organization's Committee of Experts on the Application of Conventions and Recommendations concludes that the Romanian labor code and Constitution restrict the right of workers to form organizations of their own choosing.[9] The law establishes such a close link between trade unions and the Romanian

Communist Party that it is impossible for labor organizations to operate independently. The ILO Committee asked the Romanian government to consider measures to enable workers to form legally independent unions and to provide full information on the measures it will to take to this end.

b. Labor Unrest

In August 1977, 35,000 coalminers went on strike in the Jiu Valley, site of Romania's largest coalfield. They were protesting insufficient food, poor housing conditions, unpaid overtime, and a new,unsatisfactory pension law. President Ceausescu himself came to the Jiu Valley, where he met with a hostile reception. He promised that no reprisals would be taken against the strikers, and that immediate improvements would be made with regard to providing food, a shorter work week, and improved housing.

Despite President Ceausescu's promise, the area was surrounded by Securitate troops and declared off limits. At least 4,000 miners were dismissed from their jobs or transferred to other mines. Some were put into a work camp on the Danube-Black Sea Canal. Members of a 20-person delegation that presented grievances to the Central Committee in Bucharest were arrested after they returned to the Jiu Valley. They were demoted, sent without trial to work in other districts, and put under police surveillance.

Two strike leaders, Ian Dobre and an engineer named Jurica, died shortly after the strike under circumstances that were never thoroughly investigated by the police. The Paris-based League for Defense of Human Rights in Romania reports that 25 miners from the 1977 Jiu Valley strike, including the two workers mentioned above, have died or disappeared.

Not much is known about another subsequent miners' strike in the Motru region of Banat that took place in the Spring of 1981. The area was said to be sealed off, and repression of workers was reportedly brutal. There are unconfirmed reports that two strike leaders were abducted and murdered.

There are other unconfirmed reports about the disappearances of workers in Romania. According to the State Department, reports of politically motivated disappearances in Romania that have occasionally appeared in the West and have been documented by international organizations have neither been confirmed nor refuted by the Romanian authorities, who have discouraged efforts to investigate such reports.[10]

c. Free Trade Union Organizing

In March 1979, a group of intellectuals and workers formed the Free Trade Union of Workers in Romania, known as SLOMR. The SLOMR founding document was signed by 20 individuals, including 16 workers from Turnu-Severin. It asserted the right to form free trade unions guaranteed under Article 22 of the International Covenant on Civil and Political Rights, and Article 8 of the Covenant on Economic, Social and Cultural Rights signed by the Romanian government in 1974. The SLOMR document stated that unemployment in Romania was widespread, and asked for the lowering of work quotas, provision of food, safety precautions and adequate working conditions, and an end to unpaid compulsory "patriotic" work.

SLOMR eventually attracted at least 2,000 supporters. These included about 1,500 workers from Tirgu Mures, an industrial city chiefly populated by Hungarians, and where a clandestine free trade union movement had been founded in 1978 by workers, peasants, and soldiers.

The Romanian authorities rapidly suppressed the fledging labor movement.

-By the end of April 1979, 15 SLOMR workers were given prison sentences from three th sox months under Decree No. 153 prohibiting "parasitism."

-Eugen Onescu and several other workers were interned in psychiatric hospitals.

-Founder Dr. Iona Cana, a physician, was sentenced to 5-1/2 years of prison for "conspiracy and anti-government propaganda." Cana was eventually amnestied, but his request to emigrate has not been granted.

-Co-founder Gheorge Brasoveanu, an economist, was arrested in March 1979, first confined to a psychiatric hospital, then imprisoned until November 1980. His request to emigrate has not been granted.

-Nicolae Dascalu, another co-founder, was sentenced to 18 months of prison (reduced to 10 upon appeal) for violating a press law prohibiting the dissemination of information abroad without legal authorization. Dascalu was allowed to emigrate to the United States in 1981.

-G. Grigoras was imprisoned for six months for "inciting an anarchic and parasitic group."

- Vasile Paraschiv, a chemical worker from Ploiesti, was detained and beaten in Bucharest in February 1979 for his support of SLOMR. Paraschiv had previously been interned three times in psychiatric hospitals for political reasons. In 1978 he had spent six months in France, where he held press conferences about his experiences of psychiatric abuse. After the break-up of SLOMR, Paraschiv disappeared for some time, and when he was seen in 1982, he appeared to have been the victim of police police brutality. He and his wife are seeking an exit visa.

- Carmen Popescu, 40, mother of a teen-aged daughter and another co-founder of SLOMR, was imprisoned and released, then re-arrested in 1981 and sentenced to six years of imprisonment. She is still in prison and is in bad health.

- Virgil Chender, a worker from Sighisoara, went to Bucharest in March 1979 to submit a collective statement of support for SLOMR from 1,487 workers in Tirgu-Mures. He was apprehended and is still missing.

VII. RELIGIOUS FREEDOM

Romania is officially an atheist state in which the Party attempts to suppress or at least restrict all religious activity. Religious affairs are controlled by the government's Department of Cults, which provides some funds for officially recognized denominations and prints some religious material within strict guidelines.

Most religious believers in Romania belong to the Romanian Orthodox faith. Hungarians, the majority of whom are religious, are for the most part Roman Catholics or Reformed Protestants, with some small numbers of Jews and Uniates. Germans are usually members of the Lutheran or Roman Catholic churches. Because Romania's minorities are closely tied to religious denominations, the government's policies towards various religious groups reflects its discriminatory nationalities policy as well.

a. State Interference in Religious Affairs

Before World War II, there were 60 religious groups in Romania, but many were eventually prohibited or violently forced to merge, as was the case with the Uniate Church which became part of the Orthodox church. Today there are 14 recognized denominations. Religious believers who are not members of these state-sanctioned churches - Jehovah's Witnesses, Mormons, Christian Scientists, and some Protestants - are not allowed to practice their faith publicly and are harassed more than other groups. The "Army of the Lord" renewal movement within the Romanian Orthodox Church has been severely persecuted for opposing or transgressing government policies, and its ministers have in some cases been beaten, jailed, or exiled.

In 1978, an independent religious rights committee was formed at the initiative of Pastors Pavel Nicolescu and Dimitrie Ianculovici. The committee, known as the ALRC (Christian Committee to Defend Freedoms of Religion and Conscience), monitored religious persecution and appealed to the state to guarantee religious rights and cease interference in church affairs. Many Baptists and Adventists were arrested, sentenced and imprisoned in connection with the ALRC, and Pastor Nicolescu was expelled from Romania. Since then there have been no public attempts to form such monitoring committees, and individuals who transmit information about religious persecution in Romania to the West take great personal risks.

With the exception of Sabbath services, all religious gatherings are prohibited, and religious proselytizing and education of children is discouraged, sometimes by imprisonment of activists. Baptists, Pentacostalists, and Seventh Day Adventists, the groups most active in seeking converts, are also the most persecuted by the state, which seeks to control, if not eradicate, evangelism. Religious groups frequently run into conflicts with the authorities when they seek building or repair permits for churches. Such permits are rarely issued, and without them, church buildings often must be closed or torn down.

There is sometimes a shortage of trained pastors to serve large congregations, even for the recognized faiths. In the case of the Baptist Church in particular, the government has not approved permission this year for new students to enter the seminary.

-In the fall of 1982, 66 Baptist pastors petitioned President Ceausescu for permission to import and print Bibles, train a sufficient number of pastors, and control their own funds, ordinarily managed by the government. The Department of Cults has stated that the petition is an anti-state provocation and has not replied.

-Since the 1977 earthquake, many churches have sought and been denied permission to build, and at least five churches have been closed.

-In May 1983, two Baptist ministers from Medias, Ion Stef, 48, and Benjamin Cocar, 28, and Pastor Paul Negrutiu of Oradia, were dismissed from the official Baptist Union for baptizing people outside Medias and publicly praying for sick members of their congregation. They were charged with holding illegal religious services and investigated by the prosecutor, who threatened Stef and Cocar with sentences of up to three years. Negrutiu had been taken into custody before, in April 1983 after a house search. All were released after protests in the West.

b. Publication of Bibles and Religious Literature

The Department of Cults prints a limited number of Bibles with the government's permission, but this is not sufficient to meet the demand. The Baptist and Lutheran denominations have made special requests for more Bibles, but the government has not approved this to date.

The importation of Bibles and other religious literature is not permitted in Romania. Many cases of religious persecution in Romania involve the unauthorized distribution of Bibles and religious literature.

- Three Romanians who were members of a ship crew transporting Christian literature were tried and sentenced in September 1981. The captain of the ship, Firu Virgil, is now serving a seven-year sentence. Two marines, Ioan Viasu, 40, and Stan Apostal, 32, both married with children, are serving six and five-and-a-half years of prison, respectively.

- Maria Delapeta, 25, and her sister Fibia, 28, were arrested in October 1981 and sentenced to five years in prison for distributing Bibles. They were amnestied from prison last year, but are under continual harassment and seek exit visas to the West.

- Trian Dorz, 70, a pastor in the "Army of the Lord" movement, was arrested in 1982 and given a two-year suspended sentence for possessing children's prayerbooks that he had written and published in the West. He suffered a heart attack but was nevertheless re-arrested and sentenced to two years (he had previously served 17). Dorz was amnestied in 1982 but is still under surveillance.

- Andrei Bach, a German preacher from Sighisoara; Horst Feder; and Horst Wagner have all been questioned in recent months on the activities of Klaus Wagner, a former prisoner of conscience active in distribution of religious literature, who has now emigrated to West Germany.

-Carman Constantin, 71, a Pentacostal; Daniel and Mircea Chibici; Petre Sinitean of Beius, 61, a Baptist; and Nicolae Moldoveanu have all been reported to be under investigation for the distribution of Christian literature.

-From April 15 to May 1, 1983, Romanian secret police reportedly searched the homes of 50 Christians, seizing literature, tapes, and music.

c. Father Gheorghe Calciu

The most well-known prisoner of conscience in Romania is Father Gheorge Calciu-Dumitreasa. In 1978, Fr. Calciu was dismissed from an Orthodox seminary where he lectured in philosophy, after he denounced atheism, materialism, and the demolition of churches. On March 10, 1979, Fr. Calciu was arrested and sentenced to 10 years of prison for his role in supporting the free trade union group SLOMR, and the religious rights committee, ALRC. Fr. Calciu was a leading Orthodox priest in the "Army of the Lord" movement, and the authorities apparently wanted to silence him because his sermons attracted many young people.

Fr. Calciu had already spent nearly half of his 55 years in prison before his most recent arrest. The current charges against him were never made public. Romanian officials have claimed that he was convicted of "fascist activities," but no evidence has been produced. Fr. Calciu is now in very poor health after a series of hunger strikes protesting involuntary treatment with drugs, physical abuse, and pressure to ask for a pardon. The authorities have been trying to compel him to request a pardon, but since this may involve a recantation, Fr. Calciu has refused. His wife has not been able to visit him, packages do not reach him, and the authorities have denied requests for an independent medical examination. Western human rights organizations have repeatedly asked for the release of Fr. Calciu. No news about his welfare has been received for some time.

VIII. RIGHTS OF MINORITIES

Within Romania's total population of 22.2 million, there are many ethnic groups: Hungarians, Germans, Serbs, Ukrainians, Slovaks, Czechs, Bulgarians, and an unspecified number of Gypsies. In the Transylvanian section of Romania, where the total population is 7 million, approximately four million are Romanian, two million Hungarian, and 400,000 German. The two million Hungarians in Transylvania form by far the largest minority in Romania. They are numerically the largest national minority in Europe and the largest single group of Hungarians outside of Hungary.

The tensions between Romanians and the minorities are mainly due to Romania's complicated history, in which various nationalities have shared the same territory and sharply disagreed over who was there first.

The Romanian Constitution and legislation provide for minority rights, and there is a wealth of regulations stipulating the use of minority languages in the courts, the proportion of deputies in the Grand National Assembly and so on. But public statments provide a clue to the real attitude towards the national minorities:

> Our party and state are faced with the duty to take conscientious action to provide every one of our citizens with the sort of conditions, under which the nation and the nationalities can fulfill themselves and, at the same time, make it possible for national differences to diminish and gradually to disappear under communism...[11]

The minority groups in Romania often say that they live under a double burden: the burden of repression in a totalitarian state, and the burden of discrimination stemming from Romanian chauvinism and "romanization."

a. Cultural Suppression of the Hungarian Minority

The chief complaint of the Hungarian minority in Romania is that the number of Hungarian schools and the number of Hungarian-language courses in Romanian schools are continually decreasing. The Hungarian community greatly values Hungarian-language education as a way of transmitting and preserving culture. The decline of Hungarian education and cultural opportunities has led many in the Hungarian community in Romania to feel that they are being subjected to "cultural genocide."

After 1956, the Romanian authorities began to dismantle the Hungarian language education network in stages. Hungarian schools were merged into Romanian schools and became "sections," and the sections were themselves merged over a period of time.[12] Each year, the number of lectures given in the Hungarian language in Romanian schools decreases, and retiring lecturers are not replaced. In 1977, the Hungarian minority leader Lajos Takacs published in samizdat a memorandum on the nationality breakdown of the academic staff of various departments of the Babes-Bolyai University of Cluj. (The Hungarian Bolyai University was merged with the Romanian Babes University in 1959.) The figures show a decrease in the number of teachers of Hungarian nationality after 1959.[13]

A party resolution of 1971 determined the subjects that could be taught in the Hungarian language. Applied sciences were not included; thus Hungarians were restricted in selecting careers that would help them advance in an industrialized society.[14]

An unwritten quota system is employed in Romanian schools and universities. In Transylvania, the number of ethnic Hungarians in institutions of higher learning cannot be more than 8 to 10 percent of all students, the overall percentage of Hungarians in Romania. This quota system is discriminatory, since the Hungarian population concentrated in Transylvania makes up 35 to 40 percent of the population. In this way many ethnic Hungarian students are being denied access to higher education, even in the Romanian language.[15]

In 1973, Law No. 278 was passed which stipulates that each year there must be a minimum of 25 applicants at the primary level and 36 at the secondary level in order to open a Hungarian (or any other ethnic group) class. Thus if there are 24 Hungarian or German students, no special class will be formed and the children are forced to study in the Romanian language. There is no such restriction on Romanian students, even in towns where the Hungarian population is in the majority.

Hungarians in Romania have also protested that the use of bilingual public inscriptions has decreased, historical monuments of importance to Hungarian culture have been destroyed or altered, and church archives have been confiscated by the state. Hungarian cultural organizations exist only as paper organizations approving Romanian party policies; they are not allowed to defend minority rights.

b. Suppression of the Free Flow of Information and People Between Romania and Hungary

Censorship in Hungary is far less stringent than in Romania, and the Hungarian people have more freedom to express their views in print and in public. In addition to their desire to suppress Hungarian nationalism, Romanian authorities may fear to expose their citizens to the relative freedom and modest political activism that exists in Hungary.

In a March 1983 report to the International Helsinki Federation for Human Rights,[16] Budapest intellectual Gaspar Miklos Tamas, himself a Transylvanian Hungarian, states that the Hungarian-language press in Romania is forced to treat Hungary as if it were a foreign country:

> ...they are allowed to publish as much information about Hungary as they are of a Western country of secondary importance - Denmark, for example.

Romania does not import contemporary Hungarian literature from Hungary, with the exception of children's books. Most books imported from Hungary are actually the works of Romanian writers which have been translated into Hungarian.

Publications sent from Hungary are often confiscated by the Romanian authorities. It is virtually impossible to subscribe to newspapers or periodicals from Hungary, which are not for sale in Romania. The free exchange of magazines between institutions in Romania and Hungary has decreased and Romanian libraries are compelled to refuse gifts from Hungary.

The Romanian authorities have also placed restrictions on sending some ethnic Hungarian-language publications printed in Romania to Hungary. This makes it more difficult for people in Hungary to get reliable information about the Hungarian minority in Romania.

Romanian authorities have increasingly restricted the flow of travellers between Hungary and Romania. This has been accomplished in large part by Decree 225/1974 which states that relatives of Romanian citizens who are not themselves Romanian citizens cannot lodge in Romanian homes, with the exception of members of the immediate family. Amnesty International has received reports that after this law was enacted, hundreds of members of the Hungarian minority, the group which has the greatest number of relatives abroad, were fined up to 15,000 leis for allowing relatives from Hungary to stay in their homes. Gaspar Miklos Tamas reports that such fines range from 5,000 to 30,000 leis and that this regulation has completely done away with youth tourism from Hungary to Romania, which formerly flourished.

Those tourists from Hungary who do manage to travel to Romania are discouraged from visiting Hungarians in Transylvania, particularly outspoken minority leaders. On several occasions, Hungarians have been detained and interrogated at the border upon leaving Romania, and the ethnic Hungarians they visited have also been questioned.

Travellers from Hungary are not allowed to go to Moldavia. Those who attempt it have been sent back to Hungary by the Romanian authorities and their hosts have been fined and threatened with forcible relocation to other areas. Ethnic Hungarians from Transylvania have also been banished from Moldavia.

The Csangos - ethnic Hungarians living in Moldavia - are said to be severely persecuted and frequently assaulted by the police, merely for speaking in Hungarian. They have no Hungarian schools nor may they use the Hungarian versions of their names or declare themselves to be Hungarian. Their church services in Hungarian are forbidden.

Visits to Hungary by Hungarians from Romania are also discouraged, although by law Romanian citizens are permitted to visit any Warsaw Pact country every two years. Nor are Hungarians from Romania allowed to travel to Hungary to study, even on student scholarships. Amnesty International has reported that Romania has an official quota on the number of ethnic Hungarians who can travel to Hungary for prolonged visits. Some who have applied have been questioned, intimidated, or assaulted in public places by unidentified persons and in this way pressured to withdraw their applications. Sometimes Hungarians are unable to obtain the appropriate application forms from officials who claim they are out of print.

The recently imposed emigration tax which affects Romanian citizens who wish to resettle in the West also affects members of the Hungarian minority in Romania who would like to settle in Hungary. Since the tax must be paid in hard currency, which Hungarian citizens are not allowed to possess, there is no possibility for their relatives in Hungary to help pay the Romanian emigration tax. Members of the Hungarian minority who apply to emigrate to Hungary are subject to the same sort of harassment as other potential emigrants (see Emigration).

Even before the implementation of the emigration tax, Hungarian authorities only accepted a small number of those who wanted to emigrate from Romania, apparently for economic reasons. Thus even if Romanian authorities were to grant ethnic Hungarians permission to leave Romania, they would face difficulties in entering Hungary.

c. Repression of Hungarian Minority Leaders

On November 6-7, 1982 in the Transylvanian towns of Oradea (Nagyvarad) and Cluj (Kolozsvar), the authorities conducted day-long house searches. Several Hungarian minority leaders were confined and held in custody for five days for interrogation. Attila Ara-Kovacs, a philosopher, Karoly Toth, organizer of the Endre Ady Literary Circle, a Hungarian cultural organization, and Geza Szocs, one of the best-known Hungarian poets and thinkers in Romania, were all detained and interrogated, together with about a dozen other ethnic Hungarians. The three men, editors of the samizdat publication Ellenpontok (Counterpoints) may have been detained in connection with an unsigned memorandum dated September 1982 which had been sent by Ellenpontok editors to the Helsinki review conference in Madrid, due to re-convene on November 9, 1982.

Karoly Toth, his wife, Szocs, and others, were reportedly beaten and insulted. Attila Ara-Kovacs was released from custody on condition that he leave the town of Oradea; Toth was kept under house arrest.

Seventy-one leading Budapest intellectuals, some of them under government harassment at home, appealed to the Romanian government to cease violating the rights of Hungarians in Transylvania. The Ellenpontok editors apparently have not suffered further harassment, perhaps as a result of protest in Hungary and the West, but they were informed by the authorities that they are accused of treason and were threatened with prosecution. In June 1983, Attila-Ara Kovacs was permitted to emigrate to Hungary.

Karoly Kiraly, a Hungarian minority leader who has repeatedly appealed to the Romanian government for reforms in minority policies, has been under virtual house arrest for the past five years. He is continually subjected to threats and harassment by the police, and his health has been deteriorating. His 1980 application to travel abroad for medical treatment was denied.

IX. THREATS TO ROMANIAN EMIGRANTS ABROAD

A number of Romanian emigres who have spoken out against President Ceausescu's regime have been the targets of Romanian secret police harassment abroad. Paul Goma, a Romanian writer who was expelled from Budapest in 1977 and now lives in exile in Paris, has received numerous death threats in Romanian by mail and by phone. In February 1981, two mail bombs postmarked from Spain exploded in the homes of Goma and Nicolas Penescu, a former Romanian Minister of the Interior. Both Penescu and an explosives expert who detonated the bomb were seriously injured; Goma was not harmed.

In May 1982, Virgil Tanase, an exiled Romanian writer living in Paris, disappeared after leaving his home to meet an associate. Several weeks earlier, Tanase had published a highly critical account of President Ceausescu's personality cult and repressive reign in Romania. Romanian emigres in

Paris feared that Tanase had angered the Romanian authorities and had been kidnapped or even murdered by the Romanian secret police. President Francois Mitterand expressed grave concern over Tanase's disappearance and postponed a planned state visit to Romania for the fall.

By the end of August, however, it emerged that a Romanian spy operating in France had defected to French counter-intelligence and revealed that he had been ordered to assassinate both Goma and Tanase. The agent then cooperated with Tanase and the French intelligence authorities to fake Tanase's kidnapping, enabling the agent to return to Romania to bring out his family to France. Tanase reappeared at a press conference on August 31, 1983, and announced that the assassination plot had been foiled.

French authorities later disclosed another alleged plot by the Romanian secret police to kill exiled Romanian writer Virgil Ierunca. In April 1983, Virgil Tanase, Paul Goma, Virgil Ierunca, and another Romanian emigre, Monica Lovinescu, appeared on a French television broadcast and discussed the harassment to which they had been subjected by Romanian secret police, culminating in the three assassination attempts. President Ceausescu described the program as "tendentious" and registered his protest with the French government for failing to stop the broadcast.

The Tanase affair illustrates that the Romanian secret police do in fact plan assassinations and that Romanian emigres abroad have reason to be concerned about their personal safety.

FOOTNOTES

1. Commission on Security and Cooperation in Europe, CSCE Digest, Washington, D.C., September 8, 1982, p. 10.

2. United States Senate Committee on Foreign Relations, Human Rights Issues in U.S. Relations with Romania and Czechoslovakia: A Staff Report, April 1983, p. 10.

3. For a comprehensive description of the problems of Romanians entering the United States, see ibid., pp. 9-10.

4. United States Department of State, Country Reports on Human Rights Practices for 1982, February 1983, pp. 984-985.

5. Ibid., p. 984.

6. Ibid., p. 986.

7. Helsinki Watch, Bucharest Should Not be the Site of the Next Helsinki Review Conference, February 1981. Michael Radu of Columbia University is quoted here.

8. Karatnycky, Adrian; Motyl, Alexander J.; Sturmthal, Adolph; Workers' Rights, East and West. New York, Transaction Books, 1980, pp. 78-79; 81-82.

9. League for Industrial Democracy, "ILO Reports: Romania," Workers Under Communism: A Journal of Information and Analysis, Fall 1982, Number Two, p. 82.

10. United States Department of State, op. cit., p. 983.

11. Schopflin, George, The Hungarians of Romania, Minority Rights Group, August 1978, p. 10.

12. Ibid., p. 11.

13. Ibid., p. 11.

14. Ibid., p. 11.

15. Tamas, Gaspar Miklos, "The Position of Hungarian Minorities in the Neighboring Countries," Violations of the Helsinki Accords: A Report from Hungary, International Helsinki Federation for Human Rights, May 1983, p. 30.

16. Much of the information in this section was drawn from the Tamas report cited above.

Ms. **Laber**. As many of us know, Romania's independence in foreign affairs is not mirrored in its domestic practices. It is generally considered the most repressive country in Eastern Europe, rivaling the Soviet Union itself in the harshness with which it treats its citizens.

Despite the lifting of the education tax in May, we remain concerned about many other obstacles to emigration and emigration procedures. I will not repeat them, because Ms. Shea has just described them very eloquently. But I would like to say that our committee is also concerned with other violations of human rights in Romania, violations which explain why so many citizens want to leave in the first place.

Our report deals with many of these—political prisoners, prison conditions, confinement in psychiatric institutions, the fact that contact with foreigners in Romania is actively discouraged by a security police which is the most pervasive in Eastern Europe and possibly in the world, the fact that foreign journalists have been followed and even beaten up, the fact that citizens in Romania, as of April of this year, are required to register their typewriters with the police including a sample of the typeface.

We are also concerned with the persecution of religious activists, of Romanian workers, of the national minorities in Romania, and especially the 2 million Hungarians who live in Transylvania. And we are shocked by documented attempts to assassinate Romanian exiles abroad.

As you all know, the President has recommended a waiver so that the Romanian Government may continue its MFN status. This was based on a so-called concession by the Romanian Government in May when it promised to cease enforcing the education tax.

This, as far as I am concerned, is insufficient. It is insufficient because by first imposing the tax and then lifting it, the Government of Romania is distracting attention from other impediments to freedom of emigration and from its own human rights record in general—things which were endangering MFN long before the education tax was an issue.

I also think it is a very unreliable promise; the record shows that the Romanian Government has not kept its promises in the past.

Just yesterday I received two letters, unsolicited, in the mail which indicate that the restrictions on emigration continue. One was from someone I know who is a recent emigrant himself. It is about friends of his back in Romania, the Vintilscu family, presently on hunger strike, their telephone disconnected—all in an effort to emigrate.

The other came from West Germany. It included what appears to be a well-researched list of 102 families, including more than 300 persons, families that have been trying to get permission to leave Romania for more than 10 years, and some for even 15 years. What was interesting to me about this list is that, of these 300 people, only one has a university degree—the rest are workers or farmers—and that 98 percent of them are seeking to be reunited with their parents or their children, not with distant or even not so distant relatives.

According to this letter, since the education tax has stopped being implemented the Romanian Government has set up, in regions with dense German populations in Romania, centers where under the guise of private individuals the state is still collecting money from persons wishing to emigrate. The tax is approximately 10,000 German marks, which comes to about $4,000. The people who pay it are getting emigration passports within 2 months.

I see that my time has run out. Can I speak for a minute or two more?

Senator **Danforth**. I would really appreciate it if you could wrap it up.

Ms. **Laber**. OK. Let me wrap up with a suggestion that is presented in my written testimony. That suggestion, very simply, is that the MFN renewal procedure—instead of being extended, as was previously suggested today—should be made more frequent, that it should be reviewed every 6 months instead of every year. This is a way to keep the Romanian Government from going through an annual flurry of activity, where it tries to make token improvements in order to keep its MFN status. If the procedure was more frequent, the government would have to make a consistent and genuine improval in its practices and would not have time to relax and fall back into its previous ways.

Thank you.

[The prepared statement of Jeri Laber follows:]

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Testimony of Jeri Laber
before the
Senate Finance Subcommittee on International Trade
United States Senate
July 29, 1983

My name is Jeri Laber. I am the Executive Director of the U.S. Helsinki Watch Committee, a nongovernmental organization, established in 1979 to monitor compliance with the human rights provisions of the 1975 Helsinki accords. Our Committee is concerned with human rights violations in all of the 35 Helsinki signatory states. We have focussed on abuses, not just in the Warsaw Pact countries but in countries such as Turkey and Yugoslavia, and, on occasion, in the United States as well. In June 1983 we published a 45-page report on human rights violations in Romania, entitled Romania: Human Rights Violations in a "Most Favored Nation." I would like to submit that report as part of my testimony today. The report describes in detail a number of Romanian practices that violate the Helsinki Final Act and other international agreements. It was compiled on the basis of our Committee's research and

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that of other organizations, some of which will also be testifying today. I mention in particular information supplied by the U.S. government's Helsinki Commission in Washington, by Amnesty International, by the International League for Human Rights, by the U.S. Senate Committee on Foreign Relations, and by the U.S. State Department in its Country Report on Romania. In my testimony today I will summarize some of the material in the report and then go on to discuss some underlying concerns of our Committee and to make a recommendation for the future.

Romania has acquired an international reputation for independence based on the Romanian government's courage and initiative in departing from the official Soviet line on a number of foreign policy issues. Unfortunately, Romania's independence in foreign policy is not reflected in its domestic practices: Romania's domestic policies are as repressive as those of any of the Soviet-bloc countries. Indeed, many observers consider Romania the most repressive of all East European countries, rivaled only by the Soviet Union itself in the harshness with which its citizens are treated.

Because the Jackson-Vanik Amendment links Most-Favored-Nation status to a country's emigration practices, I shall focus first on emigration. Along with many others, the U.S. Helsinki Watch Committee deplored the controversial education tax that Romania imposed last November on would-be emigrants and was pleased when Romanian leaders promised to cease enforcing the tax in May when it appeared that MFN might be withheld. Other violations of emigration procedures continue in Romania, however - Romanian citizens are not allowed to leave and re-enter their country freely; emigration is linked exclusively to family reunification; emigration procedures are characterized by lengthy, arbitrary delays; and citizens who apply to emigrate are harassed and treated like foreigners in their own country, deprived of jobs or the right to education, evicted from their homes, denied food coupons or medical treatment, and sometimes jailed or confined in psychiatric institutions.

I do not wish to limit my remarks to Romania's emigration policies, because I believe that abuses of the right to emigrate should not draw attention away from some of the conditions that make people want to emigrate in the first place. Romania is, for example, a country with a large albeit unknown number of political prisoners, people who have been incarcerated because of their religious or political beliefs or because of their human rights activities. There is no due process in Romania. Prison conditions are deplorable. Political trials are usually closed to the public and often carried out in summary fashion. There are frequent reports of dissidents who have been forced into in psychiatric hospitals because of their beliefs.

The closed nature of Romanian society is illustrated by the fact that there are no citizens' human rights groups that even attempt to function there. Contacts with Westerners - with foreigners of all sorts - are actively discouraged by the security police, which are the most pervasive in Eastern Europe and may hold the world's record for numbers per capita. International mail and telephone calls are closely monitored and citizens are required by law to report all contacts with foreigners within 24 hours. Foreign journalists have been followed and even beaten up in Romania. In 1982, two American pastors were expelled from Romania after attempting to get in touch with fellow Christians.

Unlike other East European countries, there is no samizdat network in Romania. An April 1983 decree prohibits the possession or use of typewriters or duplicating machines by people who have a criminal record or pose a "danger to public order or state security." Private citizens must register their typewriters with the police, including a sample of the type face.

Religious affairs are closely controlled by the Romanian government, as is the publication of religious literature. Several thousand Romanian workers have suffered government reprisals for going on strike, and a number of free trade union activists have been jailed or exiled. There have been unconfirmed reports about the disappearances of striking workers in Romania. The Romanian government has discouraged efforts to investigate such reports.

The rights of national minorities in Romania, and especially of the two million Hungarians who occupy the Transylvanian part of the country, have been denied by the Romanian government which practices a policy of cultural repression, restricting the use and the teaching of ethnic languages and suppressing the free flow of information and people between Romania and Hungary.

Finally, Romanian repression has been extended to exiled Romanian critics of the regime who now live abroad. In the summer of 1982, a scandalous plot was revealed in France when an agent of the Romanian government defected to French intelligence authorities and confessed that he had been ordered to assassinate two prominent Romanian writers, critics of the regime, who now reside in Paris.

As we all know, on March 4, 1983, President Reagan declared his intention to terminate Romania's MFN status as of June 1983 because the Romanian government was implementing an education tax and thus restricting freedom of emigration. On May 18, 1983, after a series of high-level negotiations, Romania promised the United States that it would cease implementing the emigration tax, although the statute remains on the books. This so-called "concession" by the Romanians led to the President's recommendation, on June 3, 1983, that MFN be renewed for Romania for another year.

Such a promise by the Romanian government is both insufficient and unreliable. It is insufficient because, by first imposing the education tax and then lifting it, the Romanian government is distracting attention from other impediments to freedom of emigration and from its worsening human rights record in general, things which endangered MFN long before the education tax became an issue. It is unreliable because the record shows that the Romanian government has not kept its promises in the past. Let me recapitulate: last year, at the time of the MFN hearings in Congress, Romania took several hasty measures to demonstrate its human rights concerns. Soon after MFN was approved, however, it was rumored that the Romanian government was planning to impose an education tax. Elliott Abrams, U.S. Assistant Secretary of State for Human Rights and Humanitarian Affairs, met with Romanian officials in Bucharest in October 1982 and was assured that there would be no such tax. Mr. Abrams announced this in a press statement after his return. But on November 1, 1982, the Romanian government announced an emigration tax and, to the dismay of U.S. government officials, proceeded to implement it, backing off only after President Reagan "called the question."

A pattern has developed in which Romanian leaders engage in a flurry of concentrated activity in the few months before the MFN renewal date in order to convince the U.S. State Department and Congress of Romania's good intentions. Then, once MFN is approved for another year, the Romanian government is free to revert to its previous disregard for its citizens' rights and to ignore its promises to the U.S. government, at least until MFN time rolls around again.

For this reason, I would like to propose that the MFN approval procedure be amended so that Romanian compliance with the Jackson-Vanik Amendment must be reviewed every six months, rather than yearly. More frequent reviews, similar to the certification procedures that are used with regard to El Salvador, will demonstrate to Romanian leaders that MFN depends on consistent improvement in their policies rather than on annual "gestures."

In conclusion, I would like to describe some of my own encounters with Romanian officials, encounters which provide some insight into the nature of the Romanian government . Last October (by coincidence during the same week that Elliott Abrams was conducting MFN follow-up discussions in Bucharest), I was invited to Romania to attend a conference on "The Future of the Helsinki Process." I arrived in Bucharest three days before the conference was to begin. It was my first visit to Romania. During those three days I did what I would do as a tourist in any other country in the world: I walked through the city streets, shopped in the stores, ate at three different restaurants, visited two museums. I also visited a handful of people whose names I had been given by people I knew in the United States. Since there are no human rights monitoring groups in Romania, the people I visited were at best a random selection. Nevertheless, their problems were almost invariably related to emigration. One family was on hunger strike, after a four-and-a-half-year struggle to emigrate which had resulted in the loss of jobs and possessions. Another couple had been arrested each time they tried to visit the U.S. Embassy in response to letters inviting them to come in to discuss their applications to emigrate. A third person, a Romanian patriot adamant about remaining in the land of his birth, was, ironically, being forced into exile abroad by the authorities because of his outspoken views.

At the airport when I was leaving Romania, after attending the official conference, I was called before an officer of the militia and told that while I was in Bucharest I had seen people and "broken the law." I asked if it was against the law to speak with people in Romania. "It is if you discuss the sort of problems you discussed with them." I was told if I were to come back to Romania to talk to "discontented people about problems" I would not be welcome. I was asked about the U.S. Helsinki Watch Committee and described it as "a human rights organization," to which my interrogator responded knowingly: "Then you've traveled in these countries and you should know the rules." Yet despite my extensive travels in Eastern Europe, often with some attendant difficulties, it is only in Romania that an attempt was made to threaten, intimidate, indeed to blackmail me, by that militia officer who went on to say that if I reported the substance of my talks with Romanian citizens, those people "will have more problems."

When I returned to the United States, I wrote letters in which I protested against these threats at the airport. I sent them to the Romanian Ambassador to the United States and to other Romanian officials both in Washington and in Bucharest. I received no acknowledgment or response. Finally, I arranged a meeting with the Romanian Ambassador which I can only describe as totally unsatisfactory from anyone's point of view. I was chided for conducting a "private mission" in Romania, yet when I asked if members of my Committee could travel there officially I was told: "Why should we invite you? We already know what you think about us." I was told that MFN is discriminatory and that all nations should receive equally beneficial trade tariffs from the United States. That was in February.

In late April, however, the tune changed. A Romanian Embassy official began calling members of our committee. An invitation was extended to members of the Helsinki Watch to visit Romanina and we were assured that "we would be safe there.". Attempts were made to assure us that the human rights situation in Romania was improving and to dissuade us from publishing our report on Romania "at least until after the hearings in the House of Representatives." Yet the promised improvements did not materialize. As you can see, we have gone ahead and published our report. Moreover, I see no reason to conceal the overtures that have been made to us in an effort to forestall our report. Romanian leaders must be shown that people in the U.S. government and in nongovernmental organizations will not be fooled into accepting token gestures and superficial promises instead of real change in human rights practices. A more frequent periodic review of Romania's MFN status may help bring about substantial change in the protection of the rights of Romanian citizens.

STATEMENT OF LÁSZLÓ HÁMOS, CHAIRMAN, COMMITTEE FOR HUMAN RIGHTS IN ROMANIA, NEW YORK, N.Y.

Mr. HÁMOS. Mr. Chairman, we thank this subcommittee for scheduling these hearings and again focusing the spotlight of publicity on the human rights performance of Romania.

This is the eighth consecutive year in which the Committee for Human Rights in Romania is submitting a statement to this subcommittee and in which I am appearing here as a witness. In each of the previous years we presented detailed evidence of a systematic campaign by the Romanian Government to destroy the cultural identity of the country's Hungarian minority, numbering 2.5 million people.

One major recent development has been the regular publication of a clandestine Hungarian language samizdat periodical entitled "Counterpoints." The eighth issue of Counterpoints published in September of last year consisted of a Memorandum and Program Proposal addressed to the participants of the Madrid Conference reviewing implementation of the Helsinki Final Act. Attached to our written statement is a translation of these two revealing documents which serve as the most authentic possible testimony to the ruthless and ongoing oppression of the Hungarian minority in Romania.

In early November, following publication of this Memorandum and Program Proposal, the Romanian secret police unleashed a campaign of terror against Hungarians living in Transylvania. On those days, more than a dozen Hungarian intellectuals in the cities of Kolozsvár (Cluj) and Nagyvárad (Oradea) were arrested on suspicion of being connected with Counterpoints and interrogated for varying lengths of time—in some cases with ruthless brutality.

The interrogation of Károly Tóth, as science teacher and writer from Nagyvárad, for example, lasted for 4 continuous days and nights, during which he was handcuffed, kicked, his head was beaten against the wall, his hair was pulled out, and his entire body was flailed.

Another victim, the poet Géza Szöcs from Kolozsvár, was hospitalized for several weeks as the result of his mistreatment at the hands of his interrogators.

Mr. Chairman, three more recent cases, the alarming disappearance of three prominent Hungarian intellectuals in Transylvania, merit serious attention on the part of this subcommittee. Two of the individuals, both residents of Csikszereda (Miercurea Ciuc), are Ernö Borbély, a high school history teacher, and Katalin Biró, a building engineer. After house searches in their apartments on November 23 of last year, they were taken away and never seen again.

The third such disappearance occurred on February 24 of this year in Sepsiszentgyörgy (Sfintul Gheorghe). Árpád Visky, a well-known Hungarian actor, was arrested after he questioned the right of two strangers to be present at a private gathering of actors in the local theater. The two would-be intruders turned out to be members of the secret police, and they arrested him. According to one report, he has been sentenced by a military tribunal in Bucharest to 6 years at hard labor.

The Romanian authorities, Mr. Chairman, can and must be called to account for these people. It is clear that these disappearances are not isolated instances but part of a general campaign to terrorize the Hungarian minority.

The severe worsening of internal conditions in Romania during the past 12 months demonstrates with particular clarity the importance of paying continuous and close attention to the human rights situation in that country. The decision in *INS* v. *Chadha,* however, now threatens to eliminate even the possibility for Congress to invoke the sanction, the withdrawal of MFN, which is the only measure truly feared by the Romanian Government.

But our opinion, Mr. Chairman, is that *INS* v. *Chadha* also provides Congress with a unique opportunity to begin exercising a more effective role in promoting the restoration of human rights in Romania.

In our written statement we recommend three specific measures in this regard, which I would like to simply summarize:

First, we recommend replacing the optional congressional veto with a mandatory annual congressional affirmation. By amending the Trade Act to provide for automatic expiration of MFN unless the President's recommendation is approved by a joint resolution of Congress, the full Senate would be required each year to focus on the merits of this issue.

Second, we recommend the institution of a more effective monitoring system, a frequent or ongoing mechanism to reduce the cyclical pattern of token human rights improvements around the time of MFN renewal each year.

Finally, we recommend the introduction of a more realistic definition of human rights by amending the Trade Act to provide for review of the overall human rights situation, not just the right of free emigration.

In sum, instead of allowing Congress' role in the review process surrounding MFN to be diluted or abandoned, Congress should promptly adopt legislation restoring and strengthening its commitment to the principles underlying the Jackson-Vanik amendment.

In closing, Mr. Chairman, let me say that the Romanian Government, for its abuses during this past year alone, has more than earned a termination of its MFN status.

Thank you.

[The prepared statement of László Hámos follows:]

STATEMENT
BY THE
COMMITTEE FOR HUMAN RIGHTS IN RUMANIA

Supplementing the
Oral Testimony
of
László Hámos

on behalf of the
Committee for Human Rights in Rumania

before the
Subcommittee on International Trade
of the
Committee on Finance
United States Senate

at Hearings

ON A PRESIDENTIAL RECOMMENDATION TO CONTINUE THE WAIVER APPLICABLE TO THE SOCIALIST REPUBLIC OF RUMANIA, AND TO EXTEND THE WAIVER AUTHORITY UNDER THE TRADE ACT OF 1974

Committee for Human Rights in Rumania
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July 29, 1983

STATEMENT

Mr. Chairman, we thank this Subcommittee for scheduling these hearings and again focusing the spotlight of publicity on the human rights performance of the government of Rumania. This is the eighth consecutive year in which the Committee for Human Rights in Rumania is submitting a statement to this Subcommittee and in which I am appearing here as a witness. In each of the previous years, we presented detailed evidence of a systematic campaign by the Rumanian government to destroy the cultural identity of the country's Hungarian minority, numbering 2.5 million, through curtailment of its opportunities to preserve its language, traditions and religious life. This process is aimed at denationalizing the minority population and forcing its assimilation into the majority population. The Rumanian government, beyond using its pervasive control over every facet of community life -- its monopoly over every kind of organized activity -- has, in recent years, increasingly resorted to sheer terror tactics: arrests, savage beatings, imprisonment, interrogations, forced psychiatric treatment and exile, in order to intimidate the more and more resentful minority population.

Continued Oppression of Minorities in Rumania Documented by New Samizdat Periodical

One major development which occurred since the hearing last summer has eliminated the need for us to present our own compilation of abuses. Since December 1981, a clandestine Hungarian-language "samizdat" periodical entitled Ellenpontok (Counterpoints) has been published in Rumania. To date, ten issues of this substantive, crudely mimeographed publication have appeared, prepared and disseminated within Rumania under extremely dangerous circumstances (for a listing of the issues, see Appendix G, p. A-39). It is indicative of the severity of oppression in Ceausescu's Rumania that the journal is the first -- and so far only -- underground publication ever to appear regularly in that country in any language. The eighth issue of Counterpoints, published in September of last year, consisted of a "Memorandum" and "Program Proposal" addressed to the participants of the Madrid Conference reviewing implementation of the Helsinki Final Act. Attached to this statement as Appendix A (pp. A-1 to A-14) is a translation of these two revealing documents which serve as the most authentic possible testimony to the ruthless, ongoing oppression of the Hungarian minority in Rumania. The protests were written by intellectuals who -- characteristically -- then fell victim themselves to the terror of the Ceausescu regime.

The "Program Proposal" lays bare the major grievances of the Hungarian minority, and confirms the facts and conclusions with which we have turned to this distinguished body year in and year out. (See, for example, our oral and written statements in the published transcript of this hearing for 1982 (U.S. Government Printing Office, Doc. No. 99-400-0, p. 207), for 1981 (Doc. No. 84-209-0, p. 84), for 1980 (Doc. No. 68-772-0, p. 274) and for each prior year since 1976.) Those grievances as they appear in the "Program Proposal" can be summarized as follows:

- Hungarian-language educational and cultural institutions in Rumania have been dismantled, and minorities are not allowed to form any organization to safeguard and enhance their heritage.
- Minority representation in governmental bodies is sorely inadequate, particularly at leadership levels in areas most affecting the minorities.
- The ethnic composition of Transylvania is being systematically altered through the massive and forced resettlement of peoples.
- The ethnic identity of Hungarians in Rumania is regularly denigrated through the falsification of history, curtailment of educational and publishing opportunities and a wide range of repressive measures.
- Contacts with individuals and cultural institutions in Hungary are impeded and, in some cases, completely prohibited.
- Use of the Hungarian language is suppressed.
- Hungarians are subjected to employment discrimination.
- Hungarian historical monuments and relics of the past are torn down or defaced, and historic city-scapes in Transylvania are altered to eradicate their true historic nature.
- Contact between the Hungarians of Moldavia (the Csángós) and the rest of the Hungarian people is prohibited, as is any expression of the Csángós' true national identity.
- Minorities lack any forum for redress against these wrongs.

It was after the appearance of this eighth issue of Counterpoints -- and its smuggling to the West -- that Hungarian minority intellectuals were subjected to a brutal wave of terror which continues to this day.

Violent Repression of Minority Dissent

From its inception in December of 1981, Counterpoints dealt in a constructive and sober fashion with minority oppression and the broad range of human rights abuses which plague every citizen of Rumania today. Typically, the Rumanian authorities' response has not been to address the complaints which were raised, but to confiscate the typewriters with which they were set to paper. During a series of house searches commenced in November 1982, for example, typewriters were routinely expropriated from the homes of Hungarian intellectuals (Appendix C, pp. A-16 to A-21). More recently, the government has instituted a decree requiring that all typewriters in the country be registered and prohibiting the possession or use of typewriters by those who "pose a danger to public order or state security" (The New York Times, April 14, 1983).

The third issue of Counterpoints dealt extensively with the Rumanian-language book Cuvint despre Transilvania (A Word about Transylvania) by Ion Lancranjan, published in 1982 and widely distributed in Rumania. Its appearance clearly signaled a new departure in Rumania's efforts to falsify history and stigmatize its minority population. The book is a primitive, romanticizing tract, appealing to the basest kind of chauvinist nationalism in a classic effort to detract public attention away from current economic hardships. In it Hungarians are portrayed as inferior to the Rumanian people, who should consider minorities as little more than "barbarian intruders." According to one of the articles appearing in the third issue of Counterpoints, the book incites such hatred of Hungarians that it lays the ideological groundwork for fascism, all the more since it could only have been published and distributed with the blessing of the state. Counterpoints No. 3 also reports on two memoranda protesting the appearance of this book, signed by numerous Hungarian intellectuals and sent to President Ceausescu (see Appendix E, p. A-23). Of course, no action was subsequently taken by the authorities either to stop distribution of this repulsive book or to counter its effects on the Rumanian population.

On November 6 and 7, 1982, following publication of the Counterpoints Memorandum and Program Proposal to the Madrid Conference, the Rumanian secret police unleashed a campaign of terror against Hungarians in Transylvania. As reported in a later "Special Edition" of Counterpoints (translated in its entirety as Appendix B), on those days more than a dozen Hungarian intellectuals in the cities of Kolozsvár (Cluj) and Nagyvárad (Oradea) were arrested on suspicion of being connected with Counterpoints and interrogated for varying lengths of time, in some cases with ruthless brutality. The interrogation of Károly Tóth, science teacher and writer from Nagyvárad, for example, lasted -- with two perfunctory interruptions -- for four continuous days and nights, during which "he was handcuffed, kicked, his head was beaten against the wall, and his hair was pulled out. His head and neck were beaten mainly by hand, and his entire body was flailed with rubber truncheons; the bloody marks were still visible two weeks later" (p. A-17). Another victim, the poet Géza Szőcs from Kolozsvár, was hospitalized for several weeks as a result of his mistreatment at the hands of his interrogators (p. A-16). Attila Ara-Kovács, a philosopher from Nagyvárad, was "subjected to a 48-hour interrogation without food or drink, during which he had to listen to the beating of Károly Tóth and his cries for help in the adjacent room" (p. A-17). After being let home for a few hours, Ara-Kovács' interrogation continued for another two days. Despite the violence against them, these three particular victims later openly and courageously declared themselves editors of Counterpoints and authors of the Memorandum and Program Proposal (Appendix D, p. A-22). In addition to them, dozens of leading intellectuals were subjected to similar harassment and intimidation, including the fifteen individuals named in the Counterpoints "Special Edition" (pp. A-20 to A-21).

It is revealing of the callousness of Rumanian officials that when the staff of the Senate Foreign Relations Committee inquired about Géza Szőcs at a time when his whereabouts were not known, the reply was a bare-faced denial that he had ever even been taken into custody (see Human Rights Issues in U.S. Relations with Rumania and Czechoslovakia, U.S. Senate Foreign Relations Committee Staff Report, U.S. Government Printing Office, Doc. No. 18-883-0, April 1983, p. 21).

Recent "Disappearance" of Three Prominent Minority Intellectuals

Mr. Chairman, three more recent cases, the alarming disappearance of three prominent Hungarian intellectuals in Transylvania, merit serious attention on the part of this Subcommittee. Two of the individuals, both residents of Csikszereda

(Miercurea Ciuc), are Ernő Borbély, 30, a high school history teacher, and Katalin Biró, in her 20's, a building engineer. The January 13, 1983 "Special Edition" of Counterpoints reported that after house searches in their apartments on November 23, 1982, they were taken away and never seen again (Appendix B, p. A-19). According to unconfirmed reports, they were tried in secret by a military court in Bucharest, and sentenced to either 15 years or life imprisonment. It is not known what the charges were or what the "evidence" against them may have been. What is known is that these two were outspoken members of the Hungarian minority and they engaged in activities promoting Hungarian culture. The third such disappearance occurred on February 24, 1983 in Sepsiszentgyörgy (Sfintul Gheorghe). Arpád Visky, a well-known Hungarian actor, was arrested after he questioned the right of two strangers to be present at a private gathering of actors after a performance in the local theater. The two turned out to be members of the secret police, and they arrested him. After interrogating and releasing him, he was shortly rearrested and has not been seen since. According to one report, he too was sentenced by the same military tribunal in Bucharest to six years at hard labor.

Mr. Chairman, the fate of these three people is solely the result of their being Hungarians living in Rumania today. The welfare -- indeed the lives -- of these three human beings is in the balance. This is an area in which this Subcommittee can have a direct impact. The Rumanian authorities can and must be called to account for these people. Furthermore, these disappearances are not isolated. They are part of a general campaign to terrorize the Hungarian minority into a submission aimed at its annihilation as a distinct nationality group. This courageous population, struggling against overwhelming odds to preserve the identity that is its birthright, is deserving and in need of the support of the United States.

Impact of the Supreme Court Decision in INS v. Chadha on the Jackson-Vanik Amendment

The severe worsening of internal conditions in Rumania during the past twelve months demonstrates with particular clarity the importance of paying continuous and close attention to the human rights situation in that country. The procedure mandated by the Jackson-Vanik Amendment for annual Congressional review prior to continuation of MFN for Rumania provides our government with perhaps its strongest, most effective potential form of leverage to induce the Rumanian government to improve its dismal human rights record. The review mechanism can be particularly effective in the case of Rumania, because the economy of this small country has been grossly mismanaged, and it is floundering on the verge of bankruptcy. The Ceausescu regime badly needs MFN status and the resulting U.S. trade and financial benefits not only to buttress a failing economy, but for political reasons, in order to preserve the myth of a foreign policy independent of the Soviet Union and friendly with the West.

Just how important MFN status really is to the Rumanian regime has been vividly illustrated by events of the recent past: An emigration tax imposed by decree signed by President Ceausescu in early November 1982 -- the implementation of which was somehow a matter of personal pride for the tyrant -- was just as quickly discontinued in June 1983 -- presidential prestige notwithstanding -- when it became clear that Rumania would in fact lose its U.S. economic and trade benefits. Nor was this an isolated incident. The Rumanians' willingness to grant token concessions -- measured, of course, in precise relation to the degree of U.S. pressure -- has become a familiar pattern to longtime observers of these proceedings: Last year, for example, following Congressional expressions of concern, eleven Bible smugglers were suddenly released just prior to the hearings in this same room. The cyclical pattern of emigration figures, with approvals rising suddenly in the 2-3 months during which MFN is under Congressional review and declining sharply in the remaining 9-10 months, is further evidence of Rumania's sensitivity to retaining its MFN status.

Nevertheless, despite its proven ability to influence the Rumanian government, Congress, out of apparent indifference, has assumed a modest role, making little effort to effectively carry out the provisions of the Jackson-Vanik Amendment. In particular, the Senate has failed to even consider applying the sanction mandated by Jackson-Vanik: the withdrawal of MFN. Throughout the eight years since Rumania has enjoyed MFN treatment, the issue of its continuation has failed to come up for a vote even once on the floor of the Senate. Invariably, Congress has vastly underestimated the true extent of Rumania's dependence on MFN, as witnessed by the annual display of handwringing and agonizing by various members of Congress over some imagined "severe and final" repurcussions of a measure so "drastic" as to invoke the sanction provided by law. Even after President Ceausescu's imposition of the emigration tax -- squarely in violation of the letter of the Jackson-Vanik Amendment -- it was the Administration, not the Congress which took the initiative to threaten Rumania with loss of its MFN status. Based on the record of the past eight years, absent the President's action, it is highly doubtful whether this Subcommittee would have voted to cut off MFN.

This passive attitude on the part of the Congress -- its general disregard for the gross human rights abuses occurring in Rumania — has, if anything, contributed to increasing the arrogance of the Ceausescu regime. Knowing that it was not likely to suffer any serious consequences, the Ceausescu regime has acted in a more and more capricious manner in suppressing dissent and violating the rights of its citizens.

The decision in INS v. Chadha, if interpreted as invalidating the Congressional veto provided under the Jackson-Vanik Amendment, now threatens to eliminate even the possibility for Congress to invoke the sanction -- withdrawal of MFN -- which is the only measure truly feared by the Rumanian government. With the Congress stripped of its power to act effectively, the President would be free to ignore the "advice" and "concerns" of individual members of Congress. These hearings, in turn, would be reduced to an empty and inconsequential exercise which the Rumanian government would feel little reason to even notice.

Viewed differently however, INS v. Chadha provides Congress with a unique opportunity to reverse its penchant for apathy and begin excercising a more effective role in promoting the restoration of human rights in Rumania. The following are some thoughts and concrete suggestions as to the manner in which Congress' role might be strengthened:

- Replace optional Congressional veto with mandatory Congressional affirmation. By amending the Trade Act to provide for automatic expiration of MFN unless the President's recommendation is approved by a simple majority in both Houses of Congress, the full Senate would be required, each year, to focus on the merits of this issue. The Rumanian government, knowing the high stakes involved, would have greater impetus to heed Congressional expressions of concern over human rights abuses than under the present system.

- Institute a more effective monitoring system. By mandating a more frequent, or even ongoing, mechanism for Congressional review, the cyclical pattern of token human rights improvements around the time of MFN renewal could be regularized. Such a mechanism could consist of Congressional hearings held at shorter time intervals, or the assignment of a Subcommittee staff member exclusively to the task of monitoring the human rights situation in the non-market economy countries receiving MFN status. If such a modification is deemed overly burdensome, formal recognition could be given to the already existing monitoring activities of another governmental body, such as the Commission on Security and Cooperation in Europe, with Congress' annual decision on renewal of MFN institutionally linked to the recommendation of that body.

- Introduce a more realistic definition of human rights. By amending the Trade Act to provide for review of the overall human rights situation, not just the right of free emigration in each of the countries receiving MFN status, the law could more accurately reflect actual U.S. policy in this sphere. According to section 502(B) of the Foreign Assistance Act, for example, "a principle goal of the foreign policy of the United States shall be to promote the increased observance of internationally recognized human rights by all countries." U.S. pressure for genuine human rights improvements would also serve to ease those internal conditions which motivate people to want to emigrate in the first place. The right to emigrate is a right of last resort, an escape chute to be used when all other measures to uphold human rights have failed. Increased Congressional attention to the deeper, underlying problems in each non-market economy country would confirm our government's interest in the actual betterment of conditions in those repressive societies.

In sum, Congress' role in the review process surrounding MFN renewal, if actually utilized, is indispensable. Instead of allowing that role to be diluted or abandoned, Congress should promptly adopt legislation restoring and strengthening its commitment to the priciples underlying the Jackson-Vanik Amendment.

Conclusion

In closing, Mr. Chairman, let me say that the Rumanian government, for its abusive actions during this past year alone, has more than earned a termination of its Most Favored Nation status. The attempted assasination in Paris of the Rumanian writers Paul Goma and Virgil Tanase on direct orders from President Ceausescu (Appendix F, p. A-31), and the imposition of an emigration tax for the sole purpose of rescinding it in a "grand gesture" in order to retain MFN status, are further indications that we are dealing with a cynical and manipulative Balkan despot. The primary victims of that despot, Mr. Chairman, are waiting for an effective expression of support from you.

APPENDIX A

MEMORANDUM AND PROGRAM PROPOSAL

TO
PARTICIPANTS OF THE MADRID CONFERENCE
ON SECURITY AND COOPERATION IN EUROPE

FROM
EDITORS OF THE SAMIZDAT PERIODICAL
"ELLENPONTOK" (COUNTERPOINTS)

TRANSYLVANIA, SEPTEMBER 1982

MEMORANDUM
to the participants of the Madrid Conference reviewing adherence to the provisions of the Helsinki Final Act.

In the interest of the survival of the approximately two million Hungarians in Rumania, we appeal to the peoples of the states represented at the Madrid Conference. Perhaps there is still time to halt the process, induced by the policies of the Rumanian government, which is threatening our very existence as a nationality.

The forced Rumanianization of Transylvania and the suppression of our culture are being carried out with unprecedented vehemence. Masses of Rumanians from beyond the Carpathian Mountains are being resettled into regions with a predominantly Hungarian population and into purely Hungarian communities, mainly cities. At the same time, according to official nationwide population statistics, the number of Hungarians remains stagnant. The Hungarian-language school system is gradually being destroyed. More and more obstacles are created to hinder the publication of Hungarian books and periodicals. Our language, in truth, has been forced out of public life entirely. The effort to seclude us from Hungarians living elsewhere is being carried out with increasing vigor. (Relations between Hungary and Rumania are at a sub-minimum level in all respects.)

All conceivable means are employed to thwart the natural development of our identity. Successive Hungarian generations are brought up in an atmosphere of chauvinism which denigrates our heritage and preaches the superiority of Rumanian history and culture, without allowing those Hungarians an opportunity to learn about their own ethnic background, or even the true history of Transylvania. The state powers treat us, especially intellectuals and workers, as if we were the enemies within. Terror on the part of the security forces is the order of the day. If we speak out in defense of our heritage, it is we who are called chauvinists. We live as second-class citizens in Rumania, whose possibilities for career advancement are also limited by the fact that we are Hungarian.

We lack any means of self-protection. The individual is defenseless in the face of the tyranny of the state, and since 1949 -- when the Hungarian People's Alliance was liquidated -- there has been no organization to safeguard our collective interests. Thus, our situation is characterized by the denial of not only our individual rights, but our collective rights as well, which two sets of rights are inseparable in our case.

The fact that existing international agreements do not deal with the collective rights of minorities bears profoundly upon the possibilities for bringing about a change in our situation. The focus on individual human rights, which constitutes the prevalent approach to this problem in the international arena, fails to take into consideration the shared values critical to a national minority as a collective entity -- values which evolved through tradition and are carried on through a national minority's unique culture and the group identity of its members. These values would require special legal protection. While for the majority -- due to its larger size and dominant position -- the medium for the expression of its unique values exists as a natural given, for the minority to achieve the same purpose would require a means of collective self-protection. For this reason, regardless of the underlying motive, the effort to secure human rights for minorities, without taking into account their nature as collective entities, can actually place them at the mercy of the majority.

Having taken the above into consideration, we believe that in order to alter our present deprived condition, it would be of fundamental importance that the international agreements reached in Madrid establish on the record our right to survive, and in doing so, define those human rights which would insure the preservation of our culture:

1. Allow us to regard ourselves as bound by unbreakable bonds to the entire Hungarian people, and grant the same right to all national minorities.

2. Grant us the right to preserve our ethnic identity and collective values.

3. Allow us to establish an independent organization to protect our interests.

4. These rights -- in our view -- could acquire real validity only if an independent, unbiased international commission were formed which would examine our situation, act as arbitrator and also have supervisory authority.

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Attached to this memorandum is a PROGRAM PROPOSAL in which we endeavored to formulate the most important of our demands of the Rumanian government in the interest of ameliorating our situation.

Transylvania, September 1982.

By the editors of the samizdat periodical ELLENPONTOK (Counterpoints), whose continued anonymity in present-today Rumania -- where critics of the regime disappear without a trace or become "accident" victims -- unfortunately need not be explained.

PROGRAM PROPOSAL

presented by the editors of the periodical ELLENPONTOK (Counterpoints) in the interest of improving the deprived condition of the Hungarians in Rumania.

The Hungarians of Transylvania, and of Rumania in general, are presently experiencing a more critical period of threat to their existence than perhaps ever before. Legal provisions protecting their survival exist only for the sake of appearances; they serve only to veil practices and realities which are diametrically opposed to the formulations contained in ceremonial speeches and official declarations.

To the practitioners of this system of thought, the mere idea of someone actually demanding a right is a complete absurdity. Even the simplest petition in Rumania must take the form of a more or less humble entreaty, clad in offical phraseology and supported by the "principles" which happen to be in style. It is unthinkable for any request to be fulfilled without the support of an influential member of some central body of authority, and the granting of a request is always akin to the benevolent gesture of a feudal lord, awarding a well-behaved subject. (The dispenser of awards to the citizen is the state; to the minorities, the dominant Rumanian nation.) The graceful gesture has nothing to do with the rights of the petitioner, merely with the merits of the gift-giver.

Numerous minority representatives, having accepted the conditions outlined above as given and believing themselves pragmatic, chose to force themselves to adapt, attempting through subservience and a defensive manner to protect the interests of their ethnic group.

From our point of view, though we commend the good intentions underlying such behavior, the facts convince us that a minority deprived of its resources cannot hope to defend its interests, except to the extent of gaining the minimal concessions absolutely necessary for the state to maintain outward appearances In addition, behavior of this sort is alien to our nature.

As it is our conviction that two ethnic groups can live next to, and indeed together with, each other only if they regard one another as equal partners, we demand that the Hungarians of Rumania be granted the fundamental freedom to voice demands regarding the protection of their rights and opportunities.

We know all too well that a demand of this kind may appear ill-timed in present-day Rumania, where any expressed desires pertaining to Hungarian culture are openly labeled irredentist and revisionist, even when they are couched in the required phraseology. In our opinion however, this attitude is characteristic of the relationship a feudal lord maintains with his subjects.

We are also aware that, given present conditions in Eastern Europe, it is unrealistic to expect that a demand of this kind will be met. But since our situation is growing worse each day, we feel obligated to take action because we cannot afford the luxury of waiting for a miracle to change these conditions.

For these reasons:

I. We demand that we be considered an inseparable part of the entire Hungarian people, and that as such, and as citizens of Rumania, we be permitted to maintain unhindered contacts with the Hungarian People's Republic, on both the institutional and the individual levels!

1. Allow every citizen of Rumania to travel to the Hungarian People's Republic without restrictions.

2. Repeal the regulation which forbids the accomodation of friends from abroad in our homes. (This regulation affects us, Hungarians, most of all.)

3. Permit our cultural institutions, as well as Hungarian cultural groups operating as sections of other institutions, to freely invite Hungarian ensembles and individuals from the neighboring countries.

4. Until the Transylvanian Hungarian universities are restored, permit Hungarian students from Rumania to study in Hungary. Upon their return, allow them to function according to the qualifications they have obtained.

5. Stop the practice by Rumanian customs officials of arbitrarily confiscating Hungarian-language publications.

6. With the help of relay-stations, make Hungarian (Budapest) television programing available in all parts of Transylvania.

7. Insure that Hungarian-language books published in countries inhabited by Hungarians (Hungary, Czechoslovakia, Yugoslavia and the Soviet Union) can be obtained in Rumania as well.

8. Allow us to subscribe to any and all newspapers and periodicals published in Hungary. See to it that such publications are, in fact, delivered to the subscribers by the postal service.

9. Stop treating the natural interest and justified concern of cultural and political figures in Hungary toward the fate of Hungarians in Rumania as interference in Rumania's internal affairs.

II. We demand that cultural autonomy and institutionalized forms of self-protection be guaranteed to the Hungarians of Rumania, as an ethnic community!

1. Expand paragraph 22 of the Constitution to grant minorities the right to form an organization to protect their interests, the officers of which are democratically elected.

2. Allow this organization the right to direct Hungarian cultural activity and education policy, to supervise cadre-policies affecting Hungarians, to maintain Hungarian historical monuments and to seek legal redress for minority grievances.

3. Allow Hungarians in all parts of Rumania (not just Transylvania) to be members of this organization.

4. Permit this organization to have its own official publication.

5. Publish the history of the Hungarian People's Alliance, and make known the true circumstances of its termination in 1949.

6. Publicly rehabilitate all formerly imprisoned leaders of the Hungarian People's Alliance, as well as all others who have been sentenced during the past 35 years for defending the interests of Hungarians, and declare their sentences null and void.

7. Officially acknowledge the fact that our culture is an organic part of Hungarian culture and not some kind of offshoot of Rumanian culture.

8. Create departments for the education of nationalities within the Ministry of Education and the county school boards, and treat these departments as equal to their Rumanian counterparts.

9. Re-open the Hungarian-language kindergartens and schools, granting every Hungarian child the opportunity to attend a Hungarian-language kindergarten or school. In all Hungarian-inhabited counties, make high school education in the humanities and the various trades available in Hungarian.

10. Establish Hungarian-language orphanages and schools for the handicapped, putting an end to the practice of placing Hungarian-speaking orphans and handicapped children in the respective Rumanian institutions -- a practice used as a tool of Rumanianization.

11. Enforce regulation number 6/1969 relating to teaching staff qualifications, which provides that teachers whose command of the Hungarian language is inadequate or nonexistent may not teach Hungarian-language classes.

12. Reduce the minimum quota of children required to form a class, in order to prevent the elimination of Hungarian village schools. Enact legislation in Rumania similar to the exemplary nationality statute in Yugoslavia which requires a minimum of nine children in order to establish a school. In this regard, any quotas should apply to Rumanian and Hungarian children equally.

13. In Hungarian-language secondary schools, teach the history and geography of Rumania in the Hungarian language.

14. Reestablish the Hungarian universities, and establish Hungarian-language institutions of higher education in all trades.

15. Expand the sphere of activity of the minority language publishing house "Kriterion", and increase its financial base, to enable "Kriterion" to fulfill those minority-language publishing requirements which the other publishing houses are unable to satisfy at this time.

16. Allow the Hungarian-language press, and the Hungarian-language radio and television programs, to discuss the actual and real problems of the Hungarians in Rumania.

17. The Rumanian authorities should, once and for all, stop the practice of treating Hungarian intellectuals as suspicious elements, and of subjecting them to constant police surveillance and harassment solely because they are Hungarian.

18. Insure true freedom of worship, and grant the Hungarian churches real internal autonomy.

III. For regions inhabited predominantly by Hungarians, we demand self-administration and an equitable share in the country's government!

1. Restore autonomy to the Székely land -- this time real autonomy, extended to the entire region.

2. In the villages inhabited predominantly or exclusively by Hungarians, stop the practice of appointing ethnic Rumanians to leadership positions (Chairman of the Village Council, Chairman of the Farm Cooperative, Party Secretary, policeman).

3. Allow Hungarians to be represented according to their percentage of the total population not only as Party members and representatives to the Grand National Assembly, but also among the managers of the economy, in the Party leadership at all levels, and in the government.

IV. We demand an immediate end to measures aimed at artificially altering the ethnic composition of Transylvania (including historic Transylvania, the territories west of it, and the Banat region)!

1. Terminate the massive and forced resettling of peoples from Moldavia and Wallachia into Transylvania.

2. Stop experimenting with the ethnic composition of purely Hungarian villages, trying to create a mixed population in those villages.

3. Stop the practice of assigning recent Hungarian graduates (especially physicians and engineers) to Moldavia and Wallachia, against their will.

V. We demand the opportunity for the Hungarians in Rumania to develop and cultivate their identity!

1. With regard to the past:

a. Allow the Hungarian pupils studying in their native tongue to learn the true history of their own ethnic group, and allow Rumanian pupils as well to become acquainted with that history, at least in broad outline.

b. Discuss the history of Transylvania objectively in historical publications. Stop using materials placed on museum display to conceal or trivialize the significance of Hungarians in the past, or their presence in Rumania today.

c. Discontinue the ideological function of the theory of Daco-Rumanian continuity. (Let this theory remain what it is, in fact: a working hypothesis of historians.)

d. Stop treating those who take an interest in the history and cultural heritage of Transylvania as exhibiting revisionist tendencies. Stop forbidding experts specializing in the history of Transylvania to research certain subjects.

2. With regard to the present:

a. Make public, and accessible to all, detailed statistical data regarding the present situation of the national minorities.

b. Allow anyone who so desires, to engage in sociological research pertaining to the national minorities, without police harassment against those who express an interest in this line of research.

c. Let schools, regardless of their language of instruction, teach their pupils an awareness of the country's national minorities and their culture.

d. Publish books in the Rumanian language as well which deal with the life, national customs, art, etc., of the national minorities who live here.

e. Expand the existing injuctions against manifestations of chauvinism to apply to those manifestations which are directed against Hungarians. (Thus, apply the same standard to such anti-Hungarian epithets as "bozgor" and "hazátlan" as to the anti-Rumanian "oláh".)

VI. We demand that in all areas of greater Transylvania inhabited by Hungarians, the Hungarian language be treated as equal to the Rumanian language in official as well as everyday use!

1. Grant, in practice, the right provided for in paragraph 22 of the Constitution to use the Hungarian language in administrative offices and before the various authorities, and to submit to those offices documents written in that language. Make identification cards, passports, official form letters, etc., bilingual.

2. Within the regions described, require workers employed in the fields of health care, commerce and public services to be familiar with the Hungarian language.

3. In the areas inhabited by Hungarians, make the Hungarian language a required subject in Rumanian schools as well. (During the Horthy regime in Northern Transylvania, it was compulsory for Hungarian children to learn Rumanian!)

4. In these areas, make the inscriptions of place-names and street-names, the signs on shops, factories, museums and public institutions, and the inscriptions on consumer products, etc., bilingual.

VII. We demand the same career opportunities for the Hungarians of Rumania as the Rumanians have!

Terminate the practice whereby job hiring and professional advancement are determined primarily according to ethnic background rather than professional expertise. Discontinue the practice of applying the proportion of Hungarians nationally to determine the number of Hungarians hired locally, even in firms located in overwhelmingly Hungarian areas.

VIII. We demand the preservation of the environment which reflects our historic and cultural past!

1. Preserve the traditional townscape of Transylvanian cities.

2. Stop tearing down the buildings which are significant for cultural or historical reasons.

3. Register as protected cultural properties all items deserving that title.

4. Stop altering the surroundings of Hungarian cultural landmarks, to show the landmarks at a disadvantage.

5. Establish a source of funds for the preservation of perishing historical and cultural monuments.

IX. We demand that the Hungarian-speaking natives of Moldavia, the Csángós -- whom official statistics have declared to be Rumanian, without exception -- be permitted to declare themselves Hungarians again, and to participate in Hungarian cultural life!

1. Permit them to join the organization representing Hungarian nationality interests.

2. Permit them free use of their native Hungarian language.

3. Reopen their Hungarian-language schools.

4. Grant them the right to conduct religious services in the language of their choice.

5. Put an end to the forced isolation of the Csángós, the obstruction of their contacts with Hungarians from elsewhere and the persecution of visitors to Csángó villages.

X. We demand that an impartial international commission (whose members would also include Hungarians and Rumanians) examine our situation and make decisions in the issues which bear upon our fate!

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The foregoing, which was written on behalf of two million Hungarians, provides only a partial cross-section of the country's problems: those affecting the Hungarians (and even those only in a summary and incomplete fashion). We are quite aware that the solution to these problems cannot be isolated from the more general set of questions. Our primary purpose, however, is to identify these problems, since if we do not do so, no one will it for us. As far as caling attention to the general issues affecting all of us, this not our responsibility alone, and perhaps not even ours primarily; it would first and foremost be the responsibility of the Rumanian people.

Nevertheless, we do not consider this act of ours premature. The wall of silence must at last be broken from somewhere on the inside, as must that enormous, motionless and seemingly immovable block of tyranny and deprivation of rights which weighs nightmarishly on every inhabitant of Rumania (except for those who profit from it) and which is ultimately responsible for the totally catastrophic condition in which the country finds itself. In this regard, it is our conviction that our program proposal, which may be considered by "some" to be directed against the Rumanian people, actually supports their interests, because any increase in the respect for human rights would necessarily lead to an increase in their rights as well.

APPENDIX B

REPORT ON ARRESTS AND TORTURE OF MINORITY INTELLECTUALS, FROM THE "SPECIAL EDITION OF ELLENPONTOK" (COUNTERPOINTS), DATED JANUARY 13, 1983

An Account of the Events

On November 6, 1982, the Rumanian political police (the state security apparatus, or Securitatea) conducted a house search at the apartment of Géza Szöcs in Kolozsvár (Cluj) and afterwards took him into custody for several hours. In the course of the interrogation it became clear that the police knew of Szöcs' every move throughout the past three weeks. This, plus the fact that they had found in his apartment copies of the "samizdat" periodical Ellenpontok (Counterpoints) which had been appearing in Transylvania since December 1981, and the fact that the authorities had in their possession certain photographs and tape recordings, compelled Szöcs to "break down" and "confess" -- in accordance with a prearranged tactic designed to mislead the authorities. Accordingly, he told them that the copies of Counterpoints which could be proved to have been distributed by him, originated in Hungary. Subsequently, this statement elicited a certain amount of disapproval among Hungarians in Transylvania inasmuch as it could be used as an excuse to further envenom relations between the two countries. This opinion however, does not take into consideration the fact that Szöcs' reference was to those circles in Hungary whose existence is barely tolerated by the Hungarian government.

After the confession on the sixth, he was freed in the evening of the same day and told that the interrogation would continue on the eighth. After his release however, Szöcs slipped out of Kolozsvár, and on the same day wrote a letter to his interrogators in which he disavowed his entire confession, saying that he had made it solely as a result of threats and intimidation. From Kolozsvár, traveling partly on foot and partly by public transportation, he reached the sanatorium of Tölgyes (Tulghes), 25 kilometers from the baths at Borszék (Borsec), and had himself admitted as a patient suffering from a severe persecution complex. He left the sanatorium on several occasions in order to establish contacts, and this must have been how, on November 24, in order to avoid a routine identity check on board a moving train, he jumped onto the tracks and suffered a torn tendon and severe contusions in one of his legs.

On December 9, he spoke by telephone to Attila Ara-Kovács and informed him that he wished to remain in hiding until he received guarantees from the state security organs regarding his life and personal liberty. Following that telephone conversation, he was taken into custody by the police at the post office in Maroshéviz (Toplita). They interrogated him for four days, first in Maroshéviz, and then, on the twelfth, in Kolozsvár. Szőcs denied his identity until he was made to confront his attending physician.

Based on several pieces of evidence, it can be confirmed that he was severely mistreated during his interrogation; the police repeatedly beat his head against the wall, particularly when he refused to disavow the Memorandum and Program Proposal, published in the eighth issue of Counterpoints, and when he refused to incriminate András Sütő. What the interrogators wanted was for Szőcs to admit that Sütő had something to do with Counterpoints, and that he had a hand in writing the last -- eighth -- issue. After the four days, Szőcs was allowed to go home to Kolozsvár, where he stayed at his parents' house. The conditions of his release are not known. Since that time, his parents' house has been watched in a conspicuous fashion. Visitors to Szőcs are also placed under surveillance, and on occasion followed, but not harassed.

On December 28, in a severely weakened state and suffering from pulmonary embolism, with suspected pneumonia and pleurisy, Szőcs was taken to a hospital, where, at this writing, he continues to undergo treatment.

On November 7, house searches were conducted in Nagyvárad (Oradea) as well, at the dwellings of Attila Ara-Kovács and Károly Tóth among others. The authorities maintained constant radio contact among the various house searches to keep abreast of developments. They found no damaging evidence among Károly Tóth's possessions, but they did confiscate his books dealing with the past and present of the Hungarian people and his materials documenting the Endre Ady

Literary Circle. They also took his typewriter. The house search lasted until late in the afternoon, and afterwards Károly Tóth, his wife and his under-age sister-in-law were taken to the state security headquarters in Nagyvárad. About four hours later Tóth's sister-in-law was released. His wife was allowed to go home around midnight, but she was ordered to return the following morning for several more hours. Károly Tóth's interrogation, with two interruptions, lasted until the morning of the eleventh. They brutally humiliated, beat and tortured him: he was handcuffed, kicked, his head was beaten against the wall, and his hair was pulled out. His head and neck were beaten mainly by hand, and his entire body was flailed with rubber truncheons; the bloody marks were still visible two weeks later. He was threatened with injections of Scopolamin. Since he had previously agreed with Attila Ara-Kovács and Géza Szőcs that if coerced they would admit to being editors of *Counterpoints* as well as having written the Memorandum and Program Proposal, and further, since the resolve of his interrogators led Tóth to the conclusion that they knew more than the three of them had realized, he made a confession. After the confession, Károly Tóth was released. Since November 12 he has been allowed to work, but his apartment is held under surveillance, and he is repeatedly sought out by one or another officer of the state security organs for "a little chat."

During the day-long house search on November 7, no damaging evidence was found at the apartment of Attila Ara-Kovács either. Numerous rare books and periodicals were confiscated from him, they expropriated his typewriter, and they took from his wife the 2,727 forints received for purposes of emigrating to Hungary. Following the house search, he too was taken into custody and subjected to a 48-hour interrogation without food or drink, during which he had to listen to the beating of Károly Tóth and his cries for help in the adjacent room. For the sake of formality, Ara-Kovács was allowed home for a few hours between two interrogation sessions. Like Károly Tóth, he confessed and was released on November 11, but was forbidden to leave Nagyvárad. Since that time his apartment has been under surveillance, from time to time he is followed in a very obvious fashion, and his telephone conversations are interrupted. On December 3, without proper authority from the public prosecutor and despite the protests of his mother who was there at the time, his apartment was searched by the police, and 20 forints were confiscated. Due to the mental shock resulting from the first house search, his father entered the hospital where he underwent treatment lasting more than a month.

What the interrogators wanted was evidence that Counterpoints was being prepared with the express support of the authorities in Hungary, and that the materials were received by diplomatic pouch, with the help of Rudas, the consul from Hungary in Kolozsvár. Ara-Kovács was further accused of having received from the Hungarian authorities money (i.e. the confiscated 2,727 forints), and a visa to enter Hungary, as compensation for editing Counterpoints. With regard to each of the three individuals, the interrogators tried to uncover as many connections to Hungary as possible and to obtain damaging evidence in this respect.

In sum, Attila Ara-Kovács, Géza Szöcs and Károly Tóth admitted that they were editors of the "samizdat" periodical Counterpoints, that they had also written some of its articles, and that they were entirely responsible for writing the latest issue, Number 8. They claimed to have no knowledge of any other contributors to the periodical. After their release, all three disavowed their confessions on the basis that they had been coerced into making them.

Beyond these three people, many more individuals were subjected to harassment. Most of these -- persons with whom Szöcs had met frequently in the three weeks preceeding his first interrogation -- had to endure house searches, and practically all were interrogated. Among others, the following were subjected to house searches:

In Dés (Dej):	László Tökés, Reformed minister
In Marosvásárhely (Tirgu Mures):	Attila Vári, writer Attila Kelemen, veterinarian Mihály Spielmann, historian Gábor Tompa, theater director
In Csikszentmihály (Mihaileni):	Borbála Lukács, teacher
In Sepsiszentgyörgy (Sfintul Gheorghe):	László Bogdán, poet András Balogh, theater director Zoltán Czegö poet Imre Markó, dentist

In Kolozsvár (Cluj):	Gábor Tompa, theater director Vid Tirnován, sculptor
In Nagyvárad (Oradea):	Lóránt Kertész, economist Gábor Varga, engineer Márta Józsa, university student (she was the third person — besides Károly Tóth and Géza Szőcs -- to be beaten during interrogation.)

On November 23, after house searches in their apartments in Csikszereda (Miercurea Ciuc), Ernö Borbély, secondary school teacher, and Katalin Biró, architect, were taken away. No one has seen them since, and no news has emerged regarding their whereabouts. In the house searches, books from Hungary (primarily historical, ethnographical and cultural works), older Hungarian publications (such as books and periodicals published in Transylvania between the two World Wars), personal correspondence, typewriters, and groceries from Hungary were confiscated. The number of those interrogated was much higher, and in each case the authorities attempted to demostrate as many ties to Hungary as possible, as well as trying to extract compromising statements concerning the better known Hungarian cultural figures in Rumania.

In analyzing the course of the interrogations in retrospect, it becomes clear that despite the considerable technical surveillance apparatus with which the authorities were equipped to watch, above all, Szőcs and his surroundings, they had relatively scant and inaccurate information at their disposal.

With regard to the effect of these events, a certain duality can be observed here in Transylvania. On the one hand, it is true that since November of 1982 the people are even more afraid of the authorities, even more afraid of each other and even more reluctant to resist the oppression in their own surroundings. On the other hand, news of Counterpoints has reached all of Transylvania (all Hungarians of Transylvania), and for most people this has introduced a certain ray of hope into a hopeless situation. Upon hearing the news of the house searches, the arrests and the interrogations, many people secretly offered material aid to the victims, and expressed their solidarity in various ways. The victims received shipments of food from friends and strangers alike (which in Rumania today means the denial of sustenance to the donors).

This report was prepared in Transylvania.
Concluded on January 13, 1983.

The preparers of this report express their thanks to all those who in any way stood by the victims and tried in any way to help them.

APPENDIX C

"DECLARATION" DATED DECEMBER 10, 1982 BY ATTILA ARA-KOVACS, ONE OF THE EDITORS OF THE SAMIZDAT PERIODICAL "ELLENPONTOK" (COUNTERPOINTS)

Declaration

My experiences in November 1982 -- the persecution, the interrogations, the house searches, the harassment and humiliation of my friends and acquaintances -- have led me to conclude that the Rumanian state, which at present routinely violates the most fundamental human rights, has became totally incapable of honorably solving the problems which may arise. For this very reason, I too no longer see any point to *requesting* the free exercise of my and our rights.

I do not request, but rather I *demand* and I *protest*! And I *accuse* this regime of the universal trampling of human rights, which, with its incredible vileness, pre-ordains the future of tens of millions of people!

I protest the fact that in this country people can disappear without a trace!

I protest the persecution of national minorities, which is directed primarily against the two million Hungarians of Transylvania, and I protest the fact that the oppressed minorities in Rumania are incited against one another!

I protest that our every rightful demand is answered -- beyond the use of terror -- through television and in the press only by the criminally inclined or spineless representatives of the minorities; and that the only argument they bring up against us is that we are not the same as they -- that is, delirious bootlickers!

I protest the fact that as a consequence of our protests we must face the threat of death! I protest against the screams and cries for help which I had to listen to for days in the company of others, in one of the headquarters of the state security apparatus!

I protest against the informers who lurk behind every telephone conversation, every personal contact, every thought!

I protest the absence of freedom of expression and freedom of movement!

I protest against everything which may still befall us in today's Rumania!

*

I take this opportunity to thank all those who were induced by the hope and desire for social freedom to engage in public protest by manifesting interest in the fate of the victims of terror and by identifying with them. I harbor no illusions regarding our own possibilities for the future; for this reason, I am compelled to continue placing hope in the solidarity hitherto manifested.

Nagyvárad, December 10, 1982.

Attila Ara-Kovács
Nagyvarad/Oradea
Nufulari 46/12
Tel: 33 457

APPENDIX D

"STATEMENT OF POSITION" DATED MARCH 8, 1983 BY THE THREE EDITORS OF THE SAMIZDAT PERIODICAL "ELLENPONTOK" (COUNTERPOINTS)

Statement of Position

The responsibility we feel for good relations between the Hungarian and Rumanian peoples, for the observance of human rights in Rumania and for the preservation of social tranquility in the country compels us to take a public stand against the flagrant injustices and reprehensible conduct of the Rumanian authorities.

Our conduct and our protests have, to date, been motivated by a belief and trust in the agreements concluded in our name in Helsinki in 1975, and in Debrecen and Nagyvárad (Oradea) in 1977. Nevertheless, what we are witnessing is that those in power in Rumania today are violating in our name, day in and day out and in the most cynical fashion, those very same agreements. We indignantly protest this wrongful corruption of our name.

We Hungarians of Rumania strive for peaceful and untroubled coexistence, whose only guarantee can be through adherence to the spirit and letter of the two agreements mentioned above. And it is precisely for this reason that whenever the authorities in Rumania today violate these agreements, we feel that our very existence is threatened.

There is no longer any person or any thing which guarantees our personal freedom. As shown by our individual experiences, we are at the mercy of the whims of the of the internal security organs to the greatest extent possible, with no opportunity for legal recourse.

Our relatives and friends from Hungary are expelled from Rumania, and we are unable to maintain contact with them without risk to our personal freedom. All these measures on the one hand violate our individual and minority rights, and on the other hand, serve to further isolate us and increase our defenselessness.

Kolozsvár - Nagyvárad (Cluj - Oradea),
March 8, 1983.

Attila Ara-Kovács
Géza Szőcs
Károly Tóth
Editors of the periodical
"Counterpoints"

APPENDIX E

PROTEST PUBLISHED IN THE SAMIZDAT PERIODICAL "ELLENPONTOK" (COUNTERPOINTS), NO. 3, "ASSEMBLED AND DISSEMINATED IN TRANSYLVANIA, MAY 1982"

We Protest!

The outraged reaction elicited by the Lancranjan book* -- and the fact that the forces responsible for its publication overextended themselves -- are well illustrated by the fact that the Transylvanian Hungarian intelligentsia has now, for the first time, chosen the route of collective protest and assumed the risks involved in such protest. While there have been past cases in which individuals (e.g.: Károly Király, András Sütő, Lajos Takács) have submitted protests to the Party leadership regarding various collective grievances or human rights violations, this is the first instance of an organized, group protest. The intellectuals, who were (and are) commonly believed to have allowed their honor to be purchased at a ridiculously low price, have in this case acted according to the dictates of their conscience by sending two protest documents to the Central Committee of the Rumanian Communist Party, or more preciseiy, to President Nicolae Ceausescu himself.

The two documents are the result of separate initiatives. First, at the beginning of May, intellectuals in Kolozsvár (Cluj) signed a protest memorandum. The majority of the fourteen signers are reportedly established writers, philologists and critics, with the remainder consisting of other intellectuals.

For the time being, the names of the signers are being kept secret. All that has leaked out is that the two who initiated and organized the protest are Géza Szöcs and Marius Tabacaru, a piano teacher and the only Rumanian intellectual whose name appears on both protest documents.

A few days after the Kolozsvár protest, another document, similar in content but longer and more detailed, was prepared in Marosvásárhely (Tirgu Mures), supposedly at the initiative of András Sütö. This memorandum was signed by thirty-six intellectuals, some of whom had already signed the prior Kolozsvár protest.

Both memoranda bring to light those statements in the Lancranjan book which are irreconcilable with the Party's officially proclaimed minority policies, and with the Constitution.

The number of signers could have been greater, had the organizers not decided upon quick, almost conspiratorial action, in order to complete and submit the protest documents before the state security apparatus learned of their existence.

So far, the state security apparatus has exhibited only its annoyance, and they have not slammed down on anyone yet. They are probably awaiting a decision in the matter by the Party. So are we.

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* Lancranjan, Ion. Cuvint despre Transilvania (A Word About Transylvania). Bucharest (Sport-Turism), 1982.

APPENDIX F
SELECTED NEWS ARTICLES

AGENCE FRANCE PRESSE

(Paris, France)

Tuesday, November 16, 1982

FF042 161341/82
EAST -- INTELLECTUALS OF HUNGARIAN MINORITY HELD IN ROMANIA (W/CN55)

PARIS, NOV 16 (A F P)---QUATRE INTELLECTUELS DE LA MINORITE HONGROISE DE TRANSYLVANIE ONT ETE ARRETES IL Y A UNE DIZAINE DE JOURS EN ROUMANIE, DONT TROIS ONT ETE LIBERES APRES CINQ JOURS DINTERROGATOIRE MAIS INCULPES DE "TRAHISON" TANDIS QUON EST SANS NOUVELLES DU QUATRIEME, ANNONCE MARDI LA REVUE TRIMESTRIELLE "CAHIERS HONGROIS" PUBLIEE A PARIS.

IL SAGIT DU POETE GEZA SZOCS - DONT ON EST SANS NOUVELLES - DU PHILOSOPHE ATTILA ARA-KOVACS, DU PROFESSEUR DE LYCEE KAROLY TOTH ET DE LA FEMME DE CE DERNIER.

SELON DES INFORMATIONS PARVENUES DANS LA NUIT DE LUNDI A MARDI A LA REVUE PARISIENNE PAR LINTERMEDIAIRE DES MILIEUX DOPPOSITION DE BUDAPEST, CES QUATRE PERSONNES ONT ETE ARRETEES ENTRE LE 5 ET LE 7 NOVEMBRE A CLUJ ET ORADEA SOUS LACCUSATION DETRE LES ANIMATEURS DE LA REVUE DE LANGUE HONGROISE "CONTREPOINTS" PUBLIEE EN "SAMIZDAT" (CLANDESTINEMENT) EN TRANSYLVANIE.

CETTE REVUE DONT LE PREMIER NUMERO A PARU EN DECEMBRE 1981, A PUBLIE DANS SON HUITIEME NUMERO, DIFFUSE EN OCTOBRE, UN MEMORANDUM SUR LA SITUATION DE LA MINORITE HONGROISE DE TRANSYLVANIE DESTINE AUX PARTICIPANTS DE LA CONFERENCE DE MADRID SUR LA SECURITE ET LA COOPERATION EN EUROPE.

SELON LES MEMES SOURCES, LE PROFESSEUR TOTH ET SA FEMME QUI AURAIENT ETE BATTUS DURANT LEUR INTERROGATOIRE, ONT ETE APRES LEUR LIBERATION CONSIGNES A LEUR DOMICILE, TANDIS QUE M ARA-KOVACS SE VOYAIT INTERDIRE DE QUITTER ORADEA. JE

[Translation from French:]

INTELLECTUALS OF HUNGARIAN MINORITY HELD IN RUMANIA

Paris, Nov. 16 (AFP) -- Four Hungarian minority intellectuals in Transylvania were arrested ten days ago in Rumania, and three of them were released after five days of interrogation but charged with "treason," while there is no news regarding the fourth, the quarterly review "Hungarian Notes" published in Paris announced Tuesday.

The individuals involved are the poet Géza Szőcs -- about whom there is no news --, the philosopher Attila Ara-Kovács, the high school teacher Károly Tóth and his wife.

According to the information reaching the Parisian review Monday evening through intermediary dissident sources in Budapest, the four persons were arrested between the 5th and 7th of November in Cluj and Oradea and accused of being the forces behind the Hungarian-language periodical "Counterpoints" published in "samizdat" (underground) in Transylvania.

The periodical, whose first issue appeared in December 1981, published in its eighth issue, disseminated in October, a memorandum on the situation of the Hungarian minority in Transylvania, destined for the Madrid Conference on Security and Cooperation in Europe.

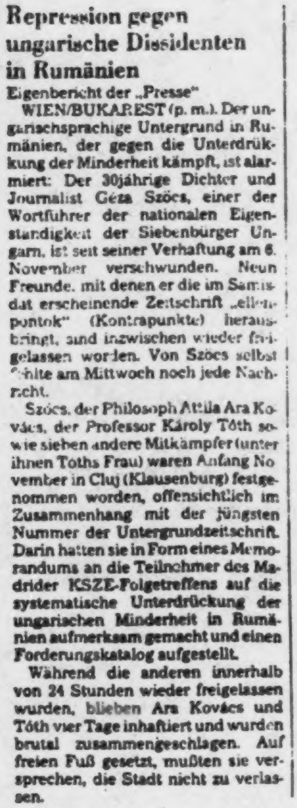
According to the same sources, professor Tóth and his wife, who had been beaten during their interrogation, were restricted to their home after their release, and Mr. Ara-Kovács found himself forbidden to leave Oradea.

DIE PRESSE

(Vienna, Austria)

Thursday, November 18, 1982

[Translation from German:]



Repression gegen ungarische Dissidenten in Rumänien

Eigenbericht der „Presse"

WIEN/BUKAREST (p. m.). Der ungarischsprachige Untergrund in Rumänien, der gegen die Unterdrückung der Minderheit kämpft, ist alarmiert: Der 30jährige Dichter und Journalist Géza Szöcs, einer der Wortführer der nationalen Eigenständigkeit der Siebenbürger Ungarn, ist seit seiner Verhaftung am 6. November verschwunden. Neun Freunde, mit denen er die im Samisdat erscheinende Zeitschrift „ellenpontok" (Kontrapunkte) herausbringt, sind inzwischen wieder freigelassen worden. Von Szöcs selbst fehlte am Mittwoch noch jede Nachricht.

Szöcs, der Philosoph Attila Ara Kovács, der Professor Károly Tóth sowie sieben andere Mitkämpfer (unter ihnen Toths Frau) waren Anfang November in Cluj (Klausenburg) festgenommen worden, offensichtlich im Zusammenhang mit der jüngsten Nummer der Untergrundzeitschrift. Darin hatten sie in Form eines Memorandums an die Teilnehmer des Madrider KSZE-Folgetreffens auf die systematische Unterdrückung der ungarischen Minderheit in Rumänien aufmerksam gemacht und einen Forderungskatalog aufgestellt.

Während die anderen innerhalb von 24 Stunden wieder freigelassen wurden, blieben Ara Kovács und Tóth vier Tage inhaftiert und wurden brutal zusammengeschlagen. Auf freien Fuß gesetzt, mußten sie versprechen, die Stadt nicht zu verlassen.

REPRESSION OF HUNGARIAN DISSIDENTS IN RUMANIA

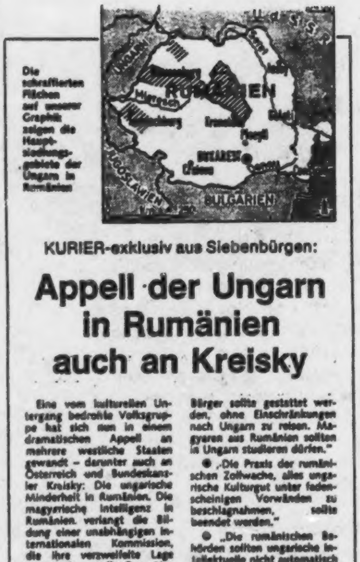
Special to Die Presse

VIENNA/BUCHAREST (p.m.) — The Hungarian-speaking underground in Rumania, struggling against minority suppression, is alarmed: Since his arrest on November 6, the 30 year-old poet and journalist Géza Szőcs, a spokesman for the national identity of Hungarians in Transylvania, has disappeared. Nine friends, with whom he publishes the samizdat periodical "Ellenpontok" (Counterpoints), have in the meantime been released. As of Wednesday, there was still no news concerning Szőcs himself.

Szőcs, the philosopher Attila Ara-Kovács, the professor Károly Tóth and seven compatriots (among them Tóth's wife) were arrested in early November in Cluj (Klausenburg), obviously in connection with the latest issue of the underground publication. In it, in the form of a memorandum to the participants of the CSCE Review Meeting in Madrid, they had called attention to the systematic oppression of the Hungarian minority in Rumania and had presented a list of demands.

While the others were set free within 24 hours, Ara-Kovács and Tóth remained imprisoned for four days and were brutally beaten up. After their release, they were constrained to promise not to leave the city.

KURIER
(Vienna, Austria)
Saturday, November 20, 1982


U.d.S.S.R.
UNGARN
RUMÄNIEN
JUGOSLAWIEN
BULGARIEN
BUKAREST

Die schraffierten Flächen auf unserer Graphik zeigen die Hauptsiedlungsgebiete der Ungarn in Rumänien

KURIER-exklusiv aus Siebenbürgen:

Appell der Ungarn in Rumänien auch an Kreisky

Eine vom kulturellen Untergang bedrohte Volksgruppe hat sich nun in einem dramatischen Appell an mehrere westliche Staaten gewandt – darunter auch an Österreich und Bundeskanzler Kreisky: Die ungarische Minderheit in Rumänien. Die magyarische Intelligenz in Rumänien verlangt die Bildung einer unabhängigen internationalen Kommission, die ihre verzweifelte Lage untersuchen soll. Das Memorandum, das Kanzler Kreisky am Montag nächster Woche zugestellt werden soll, hatte für die Unterzeichner sofortige Folgen: Sie wurden verhaftet und brutal verhört.

In der Denkschrift, die über verschiedene Kanäle nach Wien gelangte, werden die Vertreter der Westmächte und neutraler Staaten bei der KSZE-Folgekonferenz in Madrid eindringlich gebeten, den „Prozeß der Rumänisierung, der die Existenz von zwei Millionen Magyaren bedroht", durch Einflußnahme auf die Bukarester Regierung zu stoppen.

Unter welchem Druck die ungarische Minderheit steht, läßt sich aus dem Forderungskatalog ableiten, der dem Memorandum beigefügt ist. Daraus einige wörtliche Zitate.

Der beigefügte Forderungskatalog

- „Ungarischsprachige Kindergärten und Schulen sollen wiedereröffnet werden."
- „Ungarischsprachige Waisenheime und Schule für magyarische Körperbehinderte sollten gegründet werden, um die jetzt übliche Praxis zu beenden, nach der ungarischsprachige Kinder derzeit nur in rumänischsprachigen Institutionen untergebracht werden, um sie auf diese Weise zu rumänisieren."
- „Jedem rumänischen Bürger sollte gestattet werden, ohne Einschränkungen nach Ungarn zu reisen. Magyaren aus Rumänien sollten in Ungarn studieren dürfen."
- „Die Praxis der rumänischen Zollwache, alles ungarische Kulturgut unter fadenscheinigen Vorwänden zu beschlagnahmen, sollte beendet werden."
- „Die rumänischen Behörden sollten ungarische Intellektuelle nicht automatisch als verdächtig betrachten und sie konsequenter Bewachung und Belästigung aussetzen, nur weil sie Magyaren sind."

Gleichberechtigter Sprachgebrauch

In den insgesamt 10 Hauptforderungen werden vor allem kulturelle Autonomie, gleichberechtigter Sprachgebrauch im Alltagsleben und bei Behörden und gleiche Berufschancen verlangt. Massiv wird auch Selbstverwaltung in Gebieten mit ungarischer Bevölkerungsmehrheit und eine „angemessene" Beteiligung der magyarischen Minderheit an der rumänischen Regierung verlangt. Gegen die bestehende Praxis, in Siedlungsgebieten mit magyarischer Mehrheit und in rein ungarischen Bezirken und Städten zwangsweise Rumänen anzusiedeln, wird scharf protestiert.

Die ungarischen Intellektuellen, die diesen verzweifelten Aufruf sofort mit Haft und Verhör büßen mußten, halten aber ausdrücklich fest: „Es ist unsere tiefe Überzeugung, daß zwei Volksgruppen nebeneinander, ja sogar miteinander leben können, wenn sie nur bereit sind, sich als gleichwertige Partner zu betrachten."

Die Beziehungen zwischen Budapest und Bukarest sind wegen der Minderheitenpolitik Rumäniens äußerst gespannt.

WOLFGANG BROER ■

[Translation from German:]

[Caption:] The shaded areas on our map show the major settlements of Hungarians in Rumania.

HUNGARIANS IN RUMANIA APPEAL TO KREISKY AS WELL

Kurier Exclusive from Transylvania

By: Wolfgang Broer

The Hungarian minority in Rumania, a nationality threatened with cultural destruction, has addressed an appeal to several Western states, among them Austria and Austrian Chancellor Kreisky. The Hungarian intelligentsia in Rumania demands the creation of an independent international commission to investigate its desperate situation. The memorandum, to be delivered to Chancellor Kreisky on Monday, resulted in immediate consequences for its signers: They were arrested and brutally interrogated.

The document, reaching Vienna through different channels, urgently implored representatives of the Western powers and neutral states attending the CSCE Review Meeting in Madrid to influence the Bucharest regime to halt "the process of Rumanianization which threatens the existence of two million Hungarians."

The kinds of pressure to which the Hungarian minority is subjected can be derived from the list of demands which is annexed to the memorandum. The following are some verbatim quotes:

The Appended List of Demands

- "Re-open the Hungarian-language kindergartens and schools."

- "Establish Hungarian-language orphanages and schools for the handicapped, putting an end to the practice of placing Hungarian-speaking orphans and handicapped children in the respective Rumanian institutions -- a practice used as a tool of Rumanianization.

- "Allow every citizen of Rumania to travel to the Hungarian People's Republic without restrictions. Permit Hungarian students from Rumania to study in Hungary.

- "Stop the practice by Rumanian customs officials of arbitrarily confiscating Hungarian-language publications."

- "The Rumanian authorities should, once and for all, stop the practice of treating Hungarian intellectuals as suspicious elements, and of subjecting them to constant police surveillance and harassment solely because they are Hungarian."

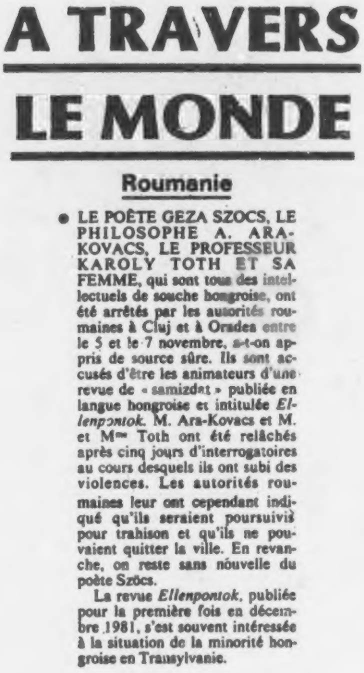
Equal Right to Use of Language

The list, consisting of ten major points, demands, above all, cultural autonomy, equality of language use in everyday life and by the authorities, and equal employment opportunities. Other strenuous demands include self-administration in regions where Hungarians form a majority of the population, and "adequate" representation of the Hungarian minority in the Rumanian government. The continued practice of resettling Rumanians into regions inhabited by Hungarians, and into purely Hungarian districts and towns, is sharply protested.

The Hungarian intellectuals, who had to pay for this desperate plea through arrest and interrogation, are persistently holding their ground: "It is our deep conviction that two ethnic groups can live next to, and indeed together with, each other only if they regard one another as equal partners."

Relations between Budapest and Bucharest are severely strained due to Rumania's minority policies.

LE MONDE
(Paris, France)
Sunday/Monday, November 21/22, 1982



A TRAVERS LE MONDE

Roumanie

- **LE POÈTE GEZA SZOCS, LE PHILOSOPHE A. ARA-KOVACS, LE PROFESSEUR KAROLY TOTH ET SA FEMME,** qui sont tous des intellectuels de souche hongroise, ont été arrêtés par les autorités roumaines à Cluj et à Oradea entre le 5 et le 7 novembre, a-t-on appris de source sûre. Ils sont accusés d'être les animateurs d'une revue de « samizdat » publiée en langue hongroise et intitulée *Ellenpontok*. M. Ara-Kovacs et M. et Mme Toth ont été relâchés après cinq jours d'interrogatoires au cours desquels ils ont subi des violences. Les autorités roumaines leur ont cependant indiqué qu'ils seraient poursuivis pour trahison et qu'ils ne pouvaient quitter la ville. En revanche, on reste sans nouvelle du poète Szöcs.

La revue *Ellenpontok*, publiée pour la première fois en décembre 1981, s'est souvent intéressée à la situation de la minorité hongroise en Transylvanie.

[Translation from French:]

AROUND THE WORLD:

RUMANIA

THE POET GÉZA SZŐCS, THE PHILOSOPHER A. ARA-KOVÁCS, THE PROFESSOR KÁROLY TÓTH AND HIS WIFE, all intellectuals of Hungarian origin, were arrested by the Rumanian authorities in Cluj and Oradea between November 5 and 7, according to a reliable source. They were accused of being the forces behind a "samizdat" periodical published in the Hungarian language and entitled Ellenpontok. Mr. Ara-Kovács and Mr. and Mrs. Tóth were released after five days of interrogation during which they were subjected to violent treatment. The Rumanian authorities indicated however, that they would be prosecuted for treason and that they could not leave the city. In turn, there was no news regarding the poet Szőcs.

The periodical Ellenpontok, first published in December 1981, frequently dealt with the situation of the Hungarian minority in Transylvania.

NEUE ZÜRCHER ZEITUNG
(Zurich, Switzerland)
Monday, November 22, 1982

Die Frage der ungarischen Minderheit in Rumänien

Ein Appell an die KSZE-Folgekonferenz

Wien, 21. Nov. (ap) Eine Gruppe in Rumänien lebender Ungarn hat am Freitag *Autonomie* für die mehrheitlich von Ungarn bewohnten rumänischen Gebiete und eine Anerkennung ihrer Eigenständigkeit als Minderheit durch die rumänische Regierung gefordert. In einem in Wien veröffentlichten Appell an die KSZE-Folgekonferenz in *Madrid* warf die Gruppe den rumänischen Behörden die Einschüchterung und berufliche *Diskriminierung* national gesinnter rumänischer Ungarn vor. «Besonders da, wo Intellektuelle und Arbeiter betroffen sind, behandelt die Staatsmacht uns, als wenn wir Feinde im Inneren wären», heisst es in der Erklärung. Von der Führung in Bukarest wird Nationalisten die Selbstverwaltung aller Bezirke mit mehrheitlich ungarischer Bevölkerung und die Anerkennung von Ungarisch als zweiter Amtssprache in diesen Regionen gefordert. Ungarische Volkszugehörige sollten ungehindert nach Ungarn reisen oder ungarische Staatsbürger beherrbergen sowie *ungarische Zeitungen* abonnieren dürfen. Daneben fordert die Gruppe die Gründung ungarischer Schulen in Rumänien, *Religionsfreiheit* und eine umfassende Amnestie für alle inhaftierten ungarischen Nationalisten. Die Lage der Ungarn rumänischer Staatsangehörigkeit solle von einer internationalen Kommission überwacht werden.

[Translation from German]

THE QUESTION OF THE HUNGARIAN MINORITY IN RUMANIA

An Appeal to the CSCE Review Meeting

Vienna, Nov. 21 (ap) -- A group of Hungarians living in Rumania petitioned the Rumanian government Friday to grant autonomy in Rumanian regions inhabited by a plurality of Hungarians and to acknowledge their individuality as a minority. In an appeal to the CSCE Review Meeting in Madrid made public in Vienna, the group outlined for the Rumanian authorities the intimidation and employment discrimination occurring against ethnic Hungarians in Rumania. "The state powers treat us, especially intellectuals and workers, as if we were the enemies within," the document states. The Bucharest leadership is called upon to grant self-administration in all districts with a predominantly Hungarian population and to officially acknowledge Hungarian as a second language in those regions. Hungarians in Rumania should be allowed to travel unhindered to their relatives in Hungary, to accomodate Hungarian citizens in their homes and to subscribe to newspapers from Hungary. Further, the group demands the [re]establishment of Hungarian schools in Rumania, freedom of religion and a comprehensive amnesty for all imprisoned Hungarian nationalists. The situation of the Hungarians belonging under Rumanian state control should be supervised by an international commission.

THE WALL STREET JOURNAL
MONDAY, FEBRUARY 28, 1983

INTERNATIONAL

Hungarians Restive in the East Bloc

Expatriates' Treatment In Warsaw Pact Nations Makes Budapest Edgy

By Victoria Pope
Special to The Wall Street Journal

BUDAPEST, Hungary – One of Hungary's most pressing social problems today lies outside its borders, namely the alleged mistreatment of more than three million Hungarians living in neighboring Communist countries.

Some 1.7 million Hungarians live in Romania, chiefly in the region of Transylvania, according to official Romanian statistics; but some Hungarian demographers estimate the number is closer to three million. Czechoslovakia has a community of about 600,000 Hungarians, and Yugoslavia has about a half million. In the Soviet Union there are approximately 170,000. The population of Hungary proper is 11 million.

What sets Hungarians in Soviet bloc countries apart from those in Austria, Britain or the U.S. is their faithfulness to a traditional Hungarian way of life. Clinging to language, culture and folk ways, they are more exile than emigrant. Most are citizens of foreign countries not because of personal preference but because of the altering of Hungary's borders after World War I and World War II.

Discrimination Alleged

Hungarians returning from Transylvania say they are discriminated against in schooling and jobs, and openly disliked by the Romanian population. One of Hungary's most distinguished writers, Gyula Illyes calls the plight of ethnic Hungarians in Romania "unbearable." A prominent ethnic Hungarian emigre charges that even Romanian intellectuals tend to believe the Romanian press propaganda against the Hungarian minority.

"They believe that armed bands of Hungarians wait in Transylvania to attack," he says. "Ethnic Hungarians are hostage to this prejudice."

In reaction to the alleged mistreatment of Hungarians in Transylvania, a group of 71 intellectuals sent an open letter in late November to the Hungarian Council of Ministers spelling out what the Hungarian minority in Romania wants. Among the demands were self-administration for those living in regions where there are concentrations of Hungarians, and the possibility of speaking Hungarian outside the home. Travelers from Transylvania say that signs are posted there saying "Speak Romanian."

Government Concern

The Hungarian government hasn't formally responded to the letter, but political sources say that officials are greatly concerned. One Hungarian political analyst with ties to the government hierarchy reports that Hungarian leaders are refusing to meet with Romanian President Nicolae Ceausescu until the Romanians give tangible signs of complying with a bilateral agreement signed in the 1970s. That agreement was designed to protect the rights of ethnic Hungarians to emigrate to Hungary and ensure their access to Hungarian-language publications.

With more and more Hungarians complaining that their relatives in other Soviet bloc countries face grinding discrimination, the government is confronted with a dilemma: To stem public discontent it must address these concerns, but to speak too loudly on the issue could damage its relations with fellow Warsaw Pact nations.

Besides being seen as a potential unifying force for protesters, the issue of ethnic Hungarians could break the silence on "disputed lands," territories that changed hands after the world wars. Such probings, however academic, could open a Pandora's box in Eastern Europe and the Soviet Union, where historic borders have been drastically altered. Hungary, for example, lost one-third of its territory after World War I, then a few more swatches after World War II. Put in human terms, every third Hungarian was suddenly living in a foreign land without even moving.

There are preliminary signs that the government wants to tamp down this burgeoning civil rights movement. In late November, police swooped down on a Budapest apartment where dissidents met to exchange ideas and underground publications. The action was unexpected because the dissident community generally has been tolerated by the security forces. Later it was learned that the raid coincided with roundups of ethnic Hungarian activists in Romania and Czechoslovakia, who, like the Budapest dissidents, were championing rights for expatriate Hungarians in Soviet bloc countries.

A Kremlin Role?

There are several theories on why the raid took place. Some political analysts speculate it was meant to signal to new Soviet Leader Yuri Andropov that Hungary's house was in order. Others say it reflected fear that the recent lowering of Hungary's standard of living might lead to Polish-style dissent. Opposition leaders believe, however, that the police also were seeking to break the links between the activists in the three countries.

Several Hungarian political analysts suggest that Hungary's official reluctance to press its neighbors on the rights of expatriate Hungarians comes from a sense that the government has very little maneuvering room on the issue. They say active attention to the problem would displease the Kremlin because the Soviet Union has its own festering ethnic problems, and wouldn't like the Hungarians to open up the question of minority rights.

Eastern Europe and the Soviet Union are indeed a mosaic of ethnic groups. In Yugoslavia, ethnic Albanians in the province of Kosovo want status as an independent republic and have expressed this aim in riots and mass demonstrations. Meanwhile, the threat of Islamic nationalism among the Soviet Union's large Moslem population is a worry to Moscow. And despite more than 40 years of Russification in the Baltic Soviet republics of Estonia, Latvia and Lithuania, their populations still cling to their national roots and are openly hostile to Russian culture.

Secret services

President "M" foils dictator "C"

His Majesty was not amused

East European bosses are now likely to think twice before dispatching killer squads to western Europe to eliminate their political opponents. On August 31st, a Rumanian secret agent known as "Z" revealed in Paris the details of an astonishing plot by the French secret service to fool the Rumanian secret service into believing that an attempt to kill Rumanians dissidents in France had succeeded. President Mitterrand played a central role in the deception.

On May 20th, Mr Virgil Tanase, a Rumanian novelist disappeared from his Paris flat; he was seen by passers-by being bundled into a car in the Place de la Bastille. Fellow Rumanian exiles assumed that he had been kidnapped by the Rumanian secret service and had probably been killed. Mr Tanase had been a critic of President Ceausescu's regime in Rumania for many years; and in January, he had published a satirical article in a French magazine entitled "His Majesty Ceausescu, the communist king", in which he had described the extraordinary power and nepotism of the Ceausescu family. The article apparently deeply angered the Rumanian leader.

It seems that four months after the publication of Mr Tanase's attack on President Ceausescu, "Z" approached the French authorities. He explained that he was a Rumanian agent, and that he had been ordered to kidnap Mr Tanase and to murder Mr Paul Goma, another Rumanian dissident in Paris. He said that he was not prepared to carry out his orders, and suggested a counter-plan to foil the Rumanian authorities. The French decided to go along with it.

First, as originally planned, "Z" squirted poison into Mr Goma's glass at a party in April. But a French agent "accidentally" knocked it over before Mr Goma could reach it. This seems to have fooled any other Rumanian agent watching that "Z" was carrying out his orders. Then Mr Tanase was kidnapped by French secret servicemen in a way that made it look as if it had been carried out by "Z".

President Mitterrand denounced the "kidnappping" and on July 28th, announced that he was "too busy" to go on a planned state visit to Bucharest in September. This was generally taken as a protest against Mr Tanase's disappearance. In fact, Mr Mitterrand knew that Mr Tanase was safe and well—because he had been kidnapped by the French secret service, not the Rumanian one.

While French intellectuals were protesting to Rumania about what appeared to be a ruthless killing—modelled perhaps on that of Mr Georgi Markov, a Bulgarian exile writer who was killed with a poisoned umbrella tip in London in 1978 apparently by Bulgarian agents—"Z" returned to Rumania. He collected a medal for his services from the government and then left with his family to return to Paris to "carry on his work". With his family out of Rumania, he felt free to let the cat out of the bag. On August 31st, he gave a press conference together with Mr Tanase who emerged from hiding, where he had spent his time writing a new novel.

The Rumanian embassy in Paris, predictably, has denied the whole story—but it has been confirmed by French officials. The world is more likely to believe the French than the Rumanians. The revelations could prove to be damaging for the Rumanian regime whose reputation has, in any case, been sinking lately.

Rumania badly needs western financial help and American opinion is not likely to be favourably impressed by its cloak-and-dagger work. The Rumanians had been hoping that the American congress would extend "most-favoured-nation" treatment on its exports again in 1983—after a difficult battle this year. A strong lobby in congress against repeating this concession has now built up. It has already collected a good deal of evidence about Rumania's harsh internal policies against religious believers, political dissidents and the Hungarian minority in Transylvania.

The United States is Rumania's third biggest trading partner, after the Soviet Union and West Germany. Trade with the United States was worth $1.2 billion last year; and the Rumanians had been hoping that it would rise to $3 billion by 1985 to enable Rumania to pay off some of its huge debt. The "Z" affair may have put that at risk.

APPENDIX G

LISTING OF NEWS ARTICLES
PUBLISHED IN THE WEST
ON MINORITY OPPRESSION IN RUMANIA,
JULY 1982 TO MAY 1983

"Schwierige Lage der Ungarn in Rumänien: Lázár trifft Ceausescu/Hoffnungen in Budapest" (Difficult Situation of the Hungarians in Rumania: Lázár Meets with Ceausescu/Budapest Hopes), Frankfurter Allgemeine Zeitung (Frankfurt), (July 17, 1982).

Flottau, Heiko. "Die Siebenbürger Sachsen und die Banater Schwaben: Minderheit unter dem Druck der Diktatur. Auch viele Rumänien würden gern auswandern/Den Ungarn geht es unter Ceausescu noch schlechter" (The Saxons of Transylvania and Swabians of the Banat: Minorities under Oppression of the Dictator. Many Rumanians Would Gladly Emigrate/The Situation of Hungarians under Ceausescu Is Even Worse), Süddeutsche Zeitung (Munich), (July 31, 1982).

"Roumanie: Le Dauphin Jette Sa Gourme" (Rumania: The Prince Sows His Wild Oats), Le Monde (Paris), (August 1/2, 1982).

"Rumänien: Endstation Sehnsucht. Die Unzufriedenheit im bankrotten Ostblockland lässt sich nich länger unterdrücken. Im rumänischen Siebenbürgen gründet die ungarische Minderheit eine neue Untergrundzeitung. Vorbild des Dissidentensprachrohrs: Die polnische Solidarität" (Rumania: Terminal of Aspiration. Discontent in this Bankrupt East Bloc Country Can No Longer Be Suppressed. In Rumanian Transylvania the Hungarian Minority Starts a New Underground Periodical. Dissident Spokesmen Take Their Example from Polish Solidarity), Wochenpresse (Vienna), (August 17, 1982).

Fekete, Adam N. "On Transylvania," The International Herald Tibune (Paris), (August 26, 1982).

Lendvai, Paul. "Tiefschläge unter östlichen Brüdern: Europas grösste Minderheit" (Brother Countries in the East Slugging It Out: Europe's Largest Minority), Die Presse (Vienna), (August 31, 1982).

Reissmüller, Johann Georg. "Wie Rumänien heute aussieht" (The Situation in Rumania Today), Frankfurter Allgemeine Zeitung (Frankfurt), (September 1, 1982).

Stamm, Robert. "Stationen einer Balkanreise I: Grenzprobleme und Wohlstandsunterschiede. Von Erlau durch die Puszta nach Klausenburg" (Stops on a Balkan Voyage I: Border Problems and Different Standards of Living. From Erlau through the Puszta to Klausenburg), Neue Zürcher Zeitung (Zurich), (October 10/11, 1982).

Stamm, Robert. "Stationen einer Balkanreise II: Graf Draculas verwunschenes Land: Verwaiste Dörfer" (Stops on a Balkan Voyage II: Count Dracula's Accursed Land: Deserted Villages), Neue Zürcher Zeitung (Zurich), (October 15, 1982).

"Hungarian-Rumanian Exchange over Transylvania," Reuters (Budapest), (October 26, 1982).

Stamm, Robert. "Bewegung in der Kulturpolitik: Massregelung von Chefredaktoren in Ungarn. Grenzen der Toleranz" (Movements in Cultural Policy: Editors-in-Chief in Hungary Reprimanded. The Limits of Tolerance), Neue Zürcher Zeitung (Zurich), (October 27, 1982).

Vajda, Stephan. "Rumänien - Geschäft: Reise ins Märchenland" (Rumania - Business: Voyage into Fairyland), Ost-Trend (Vienna), (November 1982).

Furgeri, Italo. "Does Transylvania Still Divide?" Unita (Rome), (November 9, 1982).

"Reformierte Kirche in Siebenbürgen" (The Reformed Church in Transylvania: Excerpts from the samizdat periodical Ellenpontok, No.4, June 1982), Zeit-Bild (Bern), (November 11, 1982).

Agence France Presse. "Intellectuals of Hungarian Minority Held in Rumania" (Paris); "Hungarians Accused of Treason in Rumania" (Paris); "Ethnic Hungarians Reportedly Arrested in Rumania" (Vienna), (November 16, 1982).

"Hungarian Itellectuals Reportedly Arrested in Rumania," Deutsche Presse Agentur (Paris), (November 16, 1982).

"Repression gegen ungarische Dissidenten in Rumänien" (Repression of Hungarian Dissidents in Rumania), Die Presse (Vienna), (November 18, 1982).

"Ethnic Hungarian Dissidents Demand Autonomy in Rumania," Associated Press (Vienna), (November 19, 1982).

Franck, Nicolette. "La Roumanie de M. Ceausescu - III: Au paroxysme de l'injustice sociale" (Ceausescu's Rumania - III: The Culmination of Social Injustice), La Libre Belgique (Brussels), (November 19, 1982).

Broer, Wolfgang. "Appell der Ungarn in Rumänien auch an Kreisky" (Hungarians in Rumania Appeal to Kreisky As Well), Kurier (Vienna), (November 20, 1982).

"A travers le monde: Roumanie" (Around the World: Rumania), Le Monde (Paris), (November 21/22, 1982).

Blow, David. "Hungarian Protest at 'Extinction'," The Times (London), (November 22, 1982).

"Die Frage der ungarischen Minderheit in Rumänien: Ein Appell an die KSZE-Folgekonferenz" (The Question of the Hungarian Minority in Rumania: An Appeal to the CSCE Review Meeting), Neue Zürcher Zeitung (Zurich), (November 22, 1982).

Reuters. "Budapest Intellectuals Appeal for Hungarians in Rumania," *The New York Times*, (November 23, 1982).

"Rumanian Diplomat Denies Report on Hungarian Minority Protest," *Reuters* (Vienna), (November 22, 1982).

"Hungarian Appeal," *United Press International* (London), (November 22, 1982).

"Hungarian Intellectuals Appeal for Poet Szöcs," *Agence France Presse* (Vienna), (November 23, 1982).

"Intervention für Siebenbürger Dichter" (Intervention on behalf of Transylvanian Poet), *Frankfurter Allgemeine Zeitung* (Frankfurt), (November 25, 1982).

"Rumänien: Verhaftungswelle bei ungarischer Minderheit" (Rumania: Wave of Arrests among Hungarian Minority), *Arbeiterzeitung* (Vienna), (November 26, 1982).

Rosenthal, Bernard. "La Situation de la Minorité Hongroise Est 'Insupportable' en Transylvanie, Selon Gyula Illyés" (The Situation of the Hungarian Minority in Transylvania is 'Unbearable,' According to Gyula Illyés), *Agence France Presse* (Budapest), (November 26, 1982).

"La Querelle Hungaro-Roumaine Tourne à l'Aigre. Object: la Transylvanie, où deux Millions de Hongrois Vivent dans cette Partie de la Roumanie. Des Hongrois Accusent Bucharest de 'Discrimination.' Kádár Laisse Dire." (The Hungarian-Rumanian Quarrel Turns to Bitterness. Object: Transylvania, the Region of Rumania Inhabited by Two Million Hungarians. Hungarians Accuse Bucharest of 'Discrimination.' Kádár Allows Them to Speak.), *Le Matin* (Paris), (November 27/28, 1982).

Pogany, Eugen-Geza von. "Budapest Observing Situation of Hungarian Minority in Rumania," *Deutsche Presse Agentur* (Budapest), (November 30, 1982).

Petta, Ettore. "Un vecchio conflitto turba i rapporti tra Budapest e Bucarest: Vogliono poter studiare in ungherese la minoranze magiare in Transylvania" (An Old Conflict Disturbs Relations between Budapest and Bucharest: The Hungarian Minority in Transylvania Wants to Pursue Studies in Hungarian), *Corriere della Sera* (Milan), (December 1, 1982).

Stamm, Robert. "Akutes Minderheitenproblem im Ostblock: Spannungen um die Ungarn in Siebenbürgen. Heikle Mission von György Aczél in Bukarest" (Acute Minority Problem in the Eastern Block: Tensions over the Hungarians in Transylvania. Sensitive Mission of György Aczél in Bucharest), *Neue Zürcher Zeitung* (Zurich), (December 1, 1982).

"Hungarian-Rumanian Talks on Minority Questions," *Associated Press* (Vienna), (December 1, 1982).

"Lightning Visit of Hungarian Senior Officials to Bucharest," Deutche Presse Agentur (Bucharest/Budapest), (December 1, 1982).

"Kádár entsendet ZK-sekretäre nach Bukarest: Erregung über die Lage der ungarischen Minderheit in Siebenbürgen" (Kádár Sends Central Committee Secretaries to Bucharest: Anxiety over the Situation of the Hungarian Minority in Tranylvania), Frankfurter Allgemeine Zeitung (Frankfurt), (December 1, 1982).

Ströhm, Carl Gustaf. "Bruderstreit über eine Minderheit" (Brothers Fight over a Minority), Die Welt (Hamburg), (December 1, 1982).

Petta, Ettore. "I romeni definiscono 'esagerazioni nazionaliste' le pretese ungheresi: Budapest e Bucarest litigano sui magiari di Transilvania" (Rumanians Label Hungarian Protests 'Nationalistic Exaggerations': Budapest and Bucharest Argue over the Hungarian Minority in Transylvania), Corriere della Sera (Milan), (December 2, 1982).

"Hungarian-Rumanian Talks," Reuters (Budapest), (December 2, 1982).

"Hungary Holds Talks on Romania Ethnic Minority," The Financial Times (London), (December 2, 1982).

"Lage der ungarischen Minderheit umstritten: Getrennte Kommuniqués nach den Gesprächen in Bukarest" (Situation of the Hungarian Minority Disputed: Differing Communiques Follow the Talks in Bucharest), Frankfurter Allgemeine Zeitung (Frankfurt), (December 2, 1982).

"Konflikt um Minderheiten" (Conflict over Minorities), Frankurter Allgemeine Zeitung (Frankfurt), (December 3, 1982).

Stamm, Robert, "Das Treffen Ceausescu-Aczél: Unterschiedliche Berichte in Ungarn und Rumänien" (The Ceausescu-Aczél Meeting: Differing Reports in Hungary and Rumania), Neue Zürcher Zeitung (Zurich), (December 3, 1982).

"Szöcs' Schicksal noch immer ungeklärt" (Szöcs' Fate Still Unclear), Frankfurter Allgemeine Zeitung (Frankfurt), (December 6, 1982).

Flottau, Heiko. "Plänkeleien auf dem Balkan: Ablenkung durch nationale Slogans" (Balkan Skirmishes: Issue Clouded by Nationalistic Slogans), Süddeutsche Zeitung (Munich), (December 8, 1982).

Stamm, Robert "Rumäniens Position zur Minderheiten frage: Dogmatische Formeln" (Rumania's Position on the Question of Minorites: Dogmatic Formulations), Neue Zürcher Zeitung (Zurich), (December 8, 1982).

"Magyaren in Rumänien: Autonomie-Kampf. Ungarische Elite von Polizei gefoltert" (Hungarians in Rumania: Struggle for Autonomy. Hungarian Elite Tortured by Police), Kurier (Vienna), (December 8, 1982).

Egri, George. "Freedom's Cost," The Toronto Sun (Toronto), (December 9, 1982).

Schleicher, Harry. "Zwist zwischen Bruderländern: Ungarn und Rumänien streiten sich wegen der nationalen Minderheiten" (Discord between Brother Countries: Hungary and Rumania Struggle on account of National Minorities), Frankfurter Rundschau (Frankfurt), (December 9, 1982).

Barily, Waltrand. "Le sort de la minorité hongroise de Roumanie envenime à nouveau les rapports entre Budapest et Bucarest" (The Fate of the Hungarian Minority in Rumania Envenoms Once Again Relations between Budapest and Bucharest), Le Monde (Paris), (December 11, 1982).

Martos, Peter. "Ceausescus Untertanen zweiter Klasse: Bukarests Vorgehen gegen die Ungarn in Siebenbürgen belastet das Verhältnis zu Budapest" (Ceausescu's Second Class Subjects: Bucharest's Efforts against Hungarians in Transylvania Burden Relations with Budapest), Die Presse (Vienna), (December 11, 1982).

Ströhm, Carl Gustaf. "Siebenbürger bangen um ihre Kultur: Mit 'Auswanderungssteuer' verstärkt Rumänien den Druck auf nationale Minderheiten" (Transylvanians Worry about Their Culture: Rumania Increases Pressure on National Minorities through 'Emigration Tax'), Die Welt (Hamburg), (December 11, 1982).

Schleicher, Harry. "Ein Dichter sagt, was Politiker nicht dürfen: Gespräch mit dem ungarischen Autor Gyula Illyes über das Nationale" (A Poet Says What a Politician May Not Say: Conversation with the Hungarian Author Gyula Illyes about the Nation), Frankfurter Rundschau (Frankfurt), (December 21, 1982).

Ströhm, Carl Gustaf. "Ceausescu warnt Ungarn und Deutsche vor Aufbegehren" (Ceausescu Warns Hungarians and Germans against Making Demands), Die Welt (Munich), (December 21, 1982).

"Un Curieux Accident de la Route" (A Curious Traffic Accident), Le Monde (Paris), (December 21, 1982).

Stamm, Robert. "Am Rande des 'kleinen Parteitages' Bukarester Gespräche und ein Augenschein in der Provinz," Neue Zürcher Zeitung (Zurich), (December 31, 1982).

"Questions Nationales: 'Contrepoint,' le samizdat hongrois, de Roumanie" (Nationality Questions: "Counterpoints," the Hungarian Samizdat in Rumania), l'Alternative (Paris), (January-February 1983).

Gerando, Antoine de. "Quand Ceausescu chasse le Hongrois..." (When Ceausescu Hunts Hungarians...), Le Nouvel Observateur (Paris), (January 8, 1983).

Németh, Magdolna. "Hintergrund der Minderheitenverfolgung in Rumänien" (Background to the Persecution of Minorities in Rumania), Salzburger Nachrichten (Salzburg), (January 8, 1983).

Nagy, Károly. "On Repression of Dissidents," The Christian Science Monitor (Boston), (January 11, 1983).

"Siebenbürger Ungarn sterben oft bei 'Unfällen'" (Transylvanian Hungarians Often Die 'by Accident'"), Frankfurter Allgemeine Zeitung (Frankfurt), (January 12, 1983).

Stamm, Robert. "Rumäniens ungarische Minderheit: Die Szekler -- ehemaliger Vorposten des Abendlandes" (Rumania's Hungarian Minority: The Székelys -- Inhabitants of the Former Eastern Outposts," Neue Zürcher Zeitung (Zurich), (January 13, 1983).

Mermoz, Gilles. "La province de Dracula. Regain de tension en Transylvanie: Budapest n'oublie pas la 'province magyare perdue'." (Dracula's Province. Revival of Tension over Transylvania: Budapest Has Not Forgotten the 'Lost Hungarian Province'), Valeurs Actuelles (Paris), (January 17, 1983).

Lederer, Lajos. "Unrest in Rumania," The Observer (London), (February 6, 1983).

"Verhört, geflüchtet, gefasst, verhört: Szöcs und die Untersuchungen der Polizei in Siebenbürgen" (Interrogated, Escaped, Seized, Interrogated: Szöcs and the Police Interrogations in Transylvania), Frankfurter Allgemeine Zeitung (Frankfurt), (February 11, 1983).

Flottau, Heiko. "Ceausescus Assimilierungspolitik provoziert Widerstand: Der ungarische Nationalismus lebt in Rumänien weiter. Auch die 'sozialistische Staatengemeinschaft' findet keine Lösung für Minderheitsprobleme in Südosteuropa" (Ceausescu's Policy of Assimilation Provokes Opposition: Hungarian Nationalism Lives on in Rumania. The 'Socialist Community of States' as well Fails to Find a Solution to the Minority Problem in Southeastern Europe)," Süddeutsche Zeitung (Munich), (February 19/20, 1983).

Pope, Victoria. "Hungarians Restive in the East Bloc," The Wall Street Journal (February 28, 1983).

"Hungarian Minority Activist Missing in Rumania," Associated Press (Vienna), (February 28,1983).

"Rumänien -- Zur alten Melodie eine neue: Der Kontrapunkt" (Rumania -- Old Melody with a New Tune: Counterpoints), Gegenstimmen (Vienna), (March 1983).

Dempsey, Judy. "Problems of Hungarian Minorities," British Broadcasting Corp. (London), (March 1, 1983).

Deutsche Presse Agentur. "Spannung zwischen Ungarn und Rumänien halt an" (Tensions between Hungary and Rumania Continue), Frankfurter Allgemeine Zeitung (Frankfurt), (March 4, 1983).

Canetti, Claudine. "Difficult Situation for the Intelligentsia in Eastern Europe," Agence France Presse (Paris), (March 10, 1983).

"Protests from Hungarian Minority in Rumania," Deutsche Presse Agentur (Vienna), (March 14, 1983).

Pope, Victoria. "Hungarians in Rumania: A Test for the Regime," The Boston Globe (March 21, 1983).

Agence France Presse. "Siebenbürger Ungarn protestieren gegen Rumäniens Vorgehen" (Hungarians in Transylvania Protest Rumanian Actions), Die Presse (Vienna), March 25, 1983).

"Theologiestudium in Rumänien erschwert: Siebenbürger besonders betroffen/'Die Kirche wandert nicht aus'," (Theological Study Impeded in Rumania: Transylvania Especially Affected/'The Church Does Not Emigrate'), Frankfurter Allgemeine Zeitung (Frankfurt), (March 28, 1983).

"Ceausescu Says People Should Remain in Rumania," Agence France Presse (Bucharest), (April 1, 1983).

Ströhm, Carl Gustaf. "Budapest ist über die Behandlung von Ungarn in Rumänien verbittert: Für hohe Funktionäre ist das Minderheitproblem eine 'schwere Last'" (Budapest Embittered over the Treatment of Hungarians in Rumania: For High-Ranking Officials the Minority Problem Is a 'Difficult Burden'), Die Welt (Hamburg), (April 5, 1983).

"Minderheiten im Osten: 'Erniedrigt, geschlagen, gefoltert,' Sie werden vor Gericht gestellt oder von Sicherheitspolizei verprügelt: Die ungarishcen Minderheiten in der CSSR und in Rumänien begehren auf" (Minorities in the East: 'Humiliated, Beaten, Tortured.' They Are Subjected to Judicial Proceedings or Thrashed by the Secret Police: The Hungarian Minorities in Czechoslovakia and Rumania Make Demands), Profil (Vienna), (April 11, 1983).

Rosenthal, Bertrand. "Gyula Illyés: Ein Verteidiger der Rechte der ungarischen Minderheiten" (Gyula Illyés: A Defender of the Rights of Hungarian Minorities), Agence France Presse (Budapest), (April 15, 1983).

"Rumänien schüren Hass gegen Ungarn" (Rumanians Stir Hatred Against Hungarians), Kurier (Vienna), (April 29, 1983).

"Hongrie: Les autorités commencent à sinquiéter des initiatives des intellectuels contestaires. La tension avec Bucarest." (Hungary: The Authorities Begin to Worry about the Initiatives of Dissident Intellectuals. The Tension with Bucharest), Le Monde (Paris), (May 7, 1983).

Other Recent Sources

Amnesty International. "Urgent Action No. 265/82. Rumania: Géza Szöcs" (London, November 23, 1982), 2 pp.

Ellenpontok (Counterpoints). Hungarian-language samizdat periodical "assembled and disseminated in Transylvania":

- No. 1 (December 1981), 8 articles, 20 pp.
- No. 2 (March 1982), 7 articles, 31 pp.
- No. 3 (May 1982), 10 articles, 41 pp.
- No. 4 (June 1982), 14 articles, 55 pp.

- No. 5 (July 1982), 10 articles, 32 pp.
- No. 6 (August 1982), 5 articles, 50 pp.
- No. 7 (August 1982), 13 articles, 34 pp.
- No. 8 (October 1982), 3 articles (including "Memorandum" and "Program Proposal"), 18 pp.
- "Nyilatkozat" (Declaration by Attila Ara-Kovács, protesting mistreatment by authorities), (December 10, 1982), 1 p.
- "Az Ellenpontok különkiadása" (Special Edition, describing arrests and police terror tactics against Hungarian minority intellectuals following publication of "Memorandum" and "Program Proposal" to the Madrid conference, and providing biographical sketches of primary victims), (January 13, 1983), 9 pp.
- "Nyilatkozat" (Declaration signed "by the editors of the samizdat periodical Ellenpontok," in support of joint Hungarian-Rumanian memorandum published in Paris), (January 14, 1983), 2 pp.
- No. 9 (January 1983), 6 articles, 22 pp.
- "Állásfoglalás" (Statement of Position signed by Attila Ara-Kovács, Géza Szőcs, and Károly Tóth as Editors of Ellenpontok), (March 8, 1983), 1 p.

L'Alternative. Roumanie: crise et repression, 1977-1982 (Rumania: Crisis and Repression. Special Edition.), (Paris, January 1983), 133 pp.

Ludányi, Andrew. "The Hungarians of Transylvania." In War and Society in East Central Europe, Vol. IV. Essays on World War I: Total War and Peacemaking, A Case Study on Trianon. Ed. Béla Király, Peter Pastor and Ivan Sanders. (New York: Brooklyn College and Columbia University Press, 1982), pp. 597-625.

"Nyilatkozat" (Declaration signed by 71 intellectuals in Hungary, protesting arrests in Transylvania and disappearance of Géza Szőcs), Translation by Committee for Human Rights in Rumania, (Budapest, November 20, 1982), 3 pp.

Ritter, Rep. Don, and other Members of Congress. Letter to President Nicolae Ceausescu, appealing for "immediate release of Géza Szőcs" and improvements in Rumania's minority policies (Washington, December 8, 1982), 1 p.

Schöpflin, George. "Rumänien, Ungarn und Siebenbürgen" (Rumanians, Hungarians and Transylvania), Europäische Rundschau (Vienna, Winter 1983), pp. 79-91.

Tamás, Gáspár Miklós. "The Position of Hungarian Minorities in the Neighboring Countries." In Violations of the Helsinki Accords: Report from Hungary (New York, Vienna, Oslo, Stockholm, and International Helsinki Federation for Human Rights, May 23, 1983), pp. 25-36.

U.S. Commission on Security and Cooperation in Europe. Implementation of the Final Act of the Conference on Security and Cooperation in Europe: Findings and Recommendations Seven Years After Helsinki (Staff Report), (Washington, November 1982), pp. 40, 59-68.

U.S. Department of State. "Rumania," In Country Reports on Human Rights Practices for 1982 (Washington, February 1983), pp. 983-991.

U.S. Helsinki Watch Committee. Rumania: Human Rights in a "Most Favored Nation" (New York, June 13, 1983), 46 pp.

U.S. Senate Committee on Foreign Relations. Human Rights Issues in United States Relations with Romania and Czechoslovakia (Staff Report), (Washington, U.S. Government Printing Office, Doc. No. 18-883-0, April 1983), 30 pp.

Senator **Danforth**. I have no questions for you, but I do want to thank each of you for being here and for your very helpful testimony to the committee, for your cooperation, and for the information that you have submitted for the record. I want to assure you that it will be reviewed with great care.

We are deeply concerned about our responsibility under Jackson-Vanik; we take it very seriously in this committee and will continue to do so, as indicated earlier, with or without the *Chadha* decision. We take that very seriously, and we will continue to be very actively concerned.

Thank you very much.

Now we have Mr. Orasel, Mr. Birnbaum, Mr. Szaz, and Ms. Trien.

Mr. Orasel.

STATEMENT OF LUCIAN ORASEL, CHAIRMAN, AMERICAN-ROMANIAN RELATIONS COMMITTEE, NEW YORK, N.Y.

Mr. **Orasel**. Mr. Chairman, my name is Lucian Orasel, representing the American-Romanian Relations Committee, and I thank you very much for the opportunity to speak today to the Senate, since Congressman Sam Gibson's office refused us on the grounds that we are "Anti-Communist conservatives, and this would be unfair to the Romanian Communist Government."

The American-Romanian Relations Committee was established in 1981. Its membership is composed of Americans of Romanian descent, other interested American people, Romanians who came from Romania recently and a long time ago. And we have 20 persons who are still living in Romania; although the names of the people still in Romania cannot be published or disclosed for fear of persecution, their names are known to the American authorities, and you can check on them at your personal request. We do not have any Communist Party members in our organization.

Our organization, Mr. Chairman, is consolidated by support they receive from the New York County Conservative Party, the East

Side Conservative Club, the 1776 Political Club, the New World Forum, West Side Republican Club, St. Mary's Church Council from Roebling, Trenton, and Bordentown, N.J., the Auxiliary Ordinis to the United States from the Vatican, the American-Cuban Committee, the Episcopate of Romanian Catholic Church of Byzantine Rite of the United States, the Diocese of New York's St. Patrick's Cathedral, and a community school board member, Manhattan.

From abroad we have the support of the Bishop of Lebedo, Vasile Christea, who represents over 2 million people still residing in Romania. We have also the support of deputy mayor, Princess Vernon, from Montego Bay, Jamaica.

Mr. Chairman, we think it is very useful for you to hear what the people living in Romania are saying. We recently received a letter from friends, families, and other people living in Romania:

> We the people of Romania are in huge jails within the borders of our own country, guarded by the most terror-filled system in the world, the communist system. We ask you, the people of the United States, the President of the United States, the Congress and the Senate, do not help the communists in our country.
>
> Granting the Most-Favored-Nation status to the current communist dictatorial government helps to keep us in chains. We, the everyday citizens, do not benefit from the increased trade between our countries. We are only forced to work for the well-being of the communist party in power and to support a slight minority of the population who profit from our slavery.
>
> The Most-Favored-Nation status should not be granted discriminatorily for 35,000 people and the communists, but must be examined in light of what would be best for the general well-being of the population, over 24 million people.
>
> We do not receive anything except hunger, slavery, terror, and a total lack of freedom. The Romanian Catholic Church of the Byzantine Rite was shut down in 1948 until today, and seven of its bishops have died in Communist jails, imprisoned for their faith and struggle for the country's freedom.
>
> Another matter of great concern to us is that the same Romanian communists who had taken freedom away from their fellow citizens and had helped to build communism in Romania were working at Radio Free Europe shortly after they arrived in the United States, and they are helping the communist government.
>
> The use of communists as broadcasters at Radio Free Europe/Radio Liberty is discouraging resistance to communism and, together with the granting of Most-Favored-Nation status, is the most sad thing that we have in the country.
>
> We are not communists. We are fighting communism, and we can win the fight. However, we cannot win the battle if we have to fight communism, you, and companies from the United States who support communism. We cannot win the battle against all of you.

Mr. Chairman, in an article in the French magazine "Le Figaro" it was estimated that since the death of Marx 100 years ago a minimum of 150 million people have been eliminated in order to make way for the Communist "paradise."

In theory, the problem is called Marxism, and in practice it is called Leninism or communism. Whatever you call it, it has taken a terrible toll in human life since it came to dominate its first country 66 years ago.

Mr. Chairman, I think it is very important for your committee to find out that Control Data Corp., which is the second largest corporation in the United States and belongs to the American-Romanian Council, just fired two of its employees because of their anticommunist activities, at the request of the Romanian Communist Government.

Senator Danforth. Thank you very much.

Mr. Orasel. In conclusion, we ask that you do not grant the most-favored-nation status.

[The prepared statement of Lucian V. Orasel follows:]

AMERICAN-ROMANIAN
RELATIONS COMMITTEE

P.O. Box 1291
Ansonia Station
New York, N.Y. 10023
(212) 877-3674

July 13, 1983

STATEMENT AGAINST GRANTING THE MOST FAVORED NATIONS STATUS TO THE COMMUNIST GOVERNMENTS.

MR.CHAIRMAN:

The American-Romanian Relations Committee was established in 1981. Its membership is composed of American-Romanian descendants, other interested American people, Romanians who came from Romania recently and a long time ago, and twenty persons who are still living in Romania. Although the names of the people still in Romania cannot be publicly disclosed for fear of persecution, their names are known to the American authorities, and you can check on them at your personal request. We do not have any communist party members in our organization.

The chairman of this organization is supported by many important individuals and groups, including:

New York ~~City~~ County Conservative Party, Howard Lim, Jr., Chairman

The Eastside Conservative Club, N.Y.C., Thomas A. Bolan, Chairman

The 1776 Political Club, N.Y.C., Byron Paul Bales, Founder and Nancy Dzupin, Chairman

New World Forum, Inc., N.Y.C., Victor G. Jessop, President

West Side Republican Club, Manhattan, N.Y., Walter McSherry, President

St. Mary's Church Parish Council, Roebling and Trenton, N.J.

The Auxiliary Ordinis Sancti Basilii Magni, U.S.A., Father Miron Moldovan, President

American-Cuban Committee, Atlanta, Georgia, Henry Rodriquez, President

The Episcopate of Romanian Catholic Church of Byzantine Rite, U.S.A.

St. Patrick's Cathedral, N.Y.C.

Myrna Albert, Community School Board Member, Manhattan, N.Y.

From Abroad:

Ordo Sancti Basilii Magni, Vatican, Rome, Italy

The Bishop of Lebedo, Vasile Christea, Bishop of the Diaspora, Vatican, Rome, Italy. Represents two million who live in Romania and whose church was disbanded by the Romanian communist government in 1948.

Prof. Dumitru Gazdaru, President of the National University of De La Plata and Director of Studies at the National University, Buenos Aires, Argentina

Princess Vernon, Deputy Mayor of Montego Bay, Jamaica.

These individuals and organizations, like others throughout the world are concerned with the danger of communism and its oppresiveness against the free world. They oppose the granting of the most-favored-nation status to communists governments.

Mr. Chairman:

Recently we received a letter from friends and family living inside Romania, and would like to read some paragraphs. "We the people of Romania are in huge jails within the borders of our own country, guarded by the most terror-filled system in the world, the communist system. We ask you, the people of the United States, the President of the U.S., the Congress and Senate, do not help the communists in our country.

Granting the most-favored-nation status to the current communist dictatorial government helps to keep us in chains. We, the everyday citizens, do not benefit from the increased trade between our countries. We are only forced to work for the well-being of the communist party in power and to support a slight minority of the population who profit from our slavery.

The most-favored-nation status should not be granted discriminatorily for 35,000 people and the communists, but must be examined in light of what would be best for the general well-being of the Romanian people, including the other 24 million people in the pepulation.

And we do not receive anything except hunger, slavery, terror, and a tatal lack of freedom. Furthurmore, our churches are closed. The Romanian Catholic Church of the Byzantine Rite was shut down in 1948 and 7 of its bishops have died in communist jails, imprisoned for their faith and struggle for the country's freedom.

Another matter of great concern to us is that the same Romanian communists who had taken freedom away from their fellow citizens and had helped to build communism in Romania, were working at Radio Free Europe shortly after their arrival in the U.S. We believe that the communists should never have been hired, in the first place, as broadcasters at Radio Free Europe/Radio Liberty.

The use of communists as broadcasters at Radio Free Europe/ Radio Liberty is discouraging resistance to communism in Romania. Romanian people are being told, in effect, that you will be better off in Romania if you become a communist and share in the communist rule and that this will not be held against you if you ever leave Romania and flee to the Free World. You will be rewarded for serving communism instead of resisting it.

We are not communists. We are fighting communism and we can win the fight. However, we cannot win the battle if we have to fight communism, you and your companies who support communism. We cannot win against both of you.

Mr.Chairman:

In an article in the French magazine " Le Figaro", it was estimated that, since the death of Marx one hundred years ago, a minimum of 150 million people have been eliminated in order to make way for the communist "paradise".

In theory the problem is called "Marxism". In practice, it is called "Leninism or communism". Whatever you call it, it has taken a terrible toll in human life since it came to dominate its first country sixty-six years ago.

There has been a long tradition of "anti-communist" movements in this country and throughout the world. Too often, however, they have had little effect in stemming the tide of the communist advance and have frequently resulted in totalitarian regimes of the right. The problem has been that to be "anti-communist" is like trying to win a football game with only the defensive unit on the field. Freedom will never be given. It will always have to be won.

You can help to win that freedom.

We should remind ourselves that We,who enjoy freedom,have the power to defend those who have none.

Lucian V. Orasel

Lucian V.Orasel
Chairman

STATEMENT OF JACOB BIRNBAUM, NATIONAL DIRECTOR, THE CENTER FOR RUSSIAN AND EAST EUROPEAN JEWRY, NEW YORK, N.Y.

Mr. BIRNBAUM. Mr. Chairman, I represent two organizations here. We have three New York offices and a dozen support groups throughout the United States.

I have been engaged in overseas rescue work since 1946. This is the ninth year of my participation in these proceedings.

Romanian assurances to the President seem to me very vague, and our experiences in the past year again raise questions as to the trustworthiness of these assurances, especially in regard to the many details concerning emigration.

I am not going into this now, but I would draw attention to one measure, one result of the education tax decree. No attempt has been made to repay those American citizens who in panic paid large sums of money for the redemption of their Romanian relatives. I have with me some receipts to the tune of almost $40,000 for one poor couple who were panicked into payment.

I think we should seek at least some concrete goodwill gestures from the Romanians. For example: Amnesty for four old men who have been continuously punished for an alleged offense committed 30 years ago in Vatra Dornei. They are still being punished, and they should finally be let go. People with much more complicated cases were amnestied at this time of year in the summer of 1978, and particularly in 1980.

Let me suggest another gesture—the release of over 100 people who have been registered 3 years or more to leave to go to Israel.

A third gesture: We have discovered that at any one time there are approximately 2,500 people registered in Bucharest to leave to go to Israel. This is a very heavy backlog, and should be greatly reduced.

As regards Jackson-Vanik, I remember the time before Jackson-Vanik. Our human rights resolutions had very little bite. This last June, Secretary Schultz said he had changed his mind about Jackson-Vanik because he had seen its effectiveness in regard to the education tax.

I would advocate semiannual congressional reports on what is happening in Romania parallel to the president's recommendation. We need legislation providing for majority passage of an annual two-House resolution certifying the fitness of the nonmarket countries concerned to receive a waiver for MFN status. New economic pressures can also be generated through the Banking and Agriculture Committees, with their oversight respectively of the Eximbank and CCC credits and loans.

Finally, Mr. Chairman, let me deny the basic inhibiting effects of this annual review on United States-Romanian commerce, much discussed earlier this morning. A 5-year or even a 3-year review would drastically limit our leverage and curtail the concern which these proceedings cause every year in Bucharest, enabling us to rescue a certain number of people from Romania.

Thank you.

Senator DANFORTH. Thank you very much, Mr. Birnbaum.

[Mr. Birnbaum's prepared statement follows:]

SUMMARY OF STATEMENT BY JACOB BIRNBAUM, NATIONAL DIRECTOR, CENTER FOR RUSSIAN AND EAST EUROPEAN JEWRY, BEFORE THE INTERNATIONAL TRADE SUBCOMMITTEE OF THE SENATE FINANCE COMMITTEE, FRIDAY, JULY 29, 1983.

Writing the Congressional trade committees on May 31, 1983, Romanian Ambassador Malitza claimed "notable progress in the field of procedures for emigration from Romania to the US and Israel...Steps were taken to constantly improve procedures, eliminate bureaucratic delays or action...Applicants are [now] processed in a period of not more than six months...The policy of not subjecting [them] to discriminations is strictly implemented... [They] continue to practice their professions."

These words suggest significant developments in our leverage with Bucharest. It is too early, however, to document permanent progress in practice.

Question #1: How trustworthy are Romania's promises, even written ones?

The false assurances to Elliott Abrams on the education tax and many other experiences show the need for most vigilant monitoring. We are disturbed by the very general nature of the assurances received by President Reagan.

Question #2: Why has this document not been made public by the Administration?

Question #3: What about the decree's other taxes besides the education tax?

Question #4: What about the Romanian repayment of US citizens panicked into paying the education tax for their relatives?

Question #5: Will the Administration continue high-level bilateral discussions with Bucharest on an ongoing basis?

EMIGRATION TO ISRAEL

Despite all difficulties, 2500 are registered at any one time, of whom over 100 have waited three years or more.

Question #6: Why such a heavy backlog?

AMNESTY FOR FOUR OLD MEN AS ROMANIAN GOODWILL SIGNAL

Question #7: After 30 years, is there any excuse for Bucharest to prevent Mssrs. Bleichner, Fleischer, Feiden and Rubinger from rejoining their children and grandchildren abroad?

As in 1978 and 1980, Congressional intervention could resolve these tragedies.

STRENGTHENING CONGRESSIONAL HUMAN RIGHTS LEVERAGE WITH NON-MARKET COUNTRIES

In June, Secretary of State Shultz declared he had changed his mind about the Jackson "freedom of emigration" Amendment to the 1974 Trade Act because of its effectiveness in overcoming the Romanian education tax. We need legislation providing for majority passage of an annual two-House resolution certifying the fitness of the non-market countries concerned to receive the waiver for MFN status.

New economic pressures can also be generated through the Banking and Agriculture Committees, with their oversight over Ex-Im Bank and CCC credits and loans.

STATEMENT BY JACOB BIRNBAUM, NATIONAL DIRECTOR, CENTER FOR RUSSIAN AND EAST EUROPEAN JEWRY, BEFORE THE INTERNATIONAL TRADE SUBCOMMITTEE OF THE SENATE FINANCE COMMITTEE, FRIDAY JULY 29, 1983.

This is the ninth year that Congressional trade committees are considering the extension of the waiver of the "freedom of emigration" provision of Section 402 of the 1974 Trade Act.

1982 Breakthrough: Romanian Concessions and Renegement

It has been a memorable year for human rights in Romania. The summer of 1982 saw the most extensive campaign ever in Washington to press Bucharest to conform with the Jackson-Vanik Amendment and the Helsinki Final Act.

Our 1981 discussions with the White House bore fruit with the President's strong statement of June 2, 1982 condemning Romania's "negativistic emigration policy". A number of human rights groups cooperated in an ad hoc coalition for human rights in Romania, and for the first time Bucharest made small but significant modifications of repressive religious policies.

An extensive Romanian counteroffensive to our saturation campaign in Congress failed, however, to alleviate Congressional concern. We demanded written assurances to replace the vague Romanian statements of previous years regarding 1)the simplification of emigration procedures 2)the acceleration of the emigration process and 3)the cessation of harassment of would-be emigrants. We persuaded a number of Senate trade subcommittee members to communicate forcefully along these lines with the Romanians.

Finally, at the beginning of August 1982, Romanian Ambassador Mircea Malitza wrote letters to the trade subcommittees and certain key legislators containing the following language: "I would like to reaffirm the position of the Romanian government to consistently improve the procedures for emigration for Romanians to the United States, to eliminate any bureaucratic delays or abuses that might occur. . . There is a firm desire of the Romanian government to make further progress in the field of procedures of emigration, including the question of reducing the time period required for processing the applications.

"At the same time, Romanian authorities reaffirm their position of not subjecting the persons tendering application for emigration to discriminations, and are determined to take the necessary steps in order to have this policy strictly implemented."

Following meetings we set up with Senate staff officials and Congressional aides just before the Senate trade subcommittee hearings, Senate Finance Committee chairman Bob Dole announced a resolution which had the effect of publicly voicing Congressional desire for concrete improvements in these areas.

A few weeks later, on October 6th, Assistant Secretary of State for Human Rights Elliott Abrams visited Bucharest, seeking to consolidate the gains of the summer. The personal assurances he received from Romanian officials also included a denial that any education tax on would-be emigrants was contemplated. Shortly thereafter, on October 22nd, the Romanian State Council announced President Ceausescu's signature to the "educational repayment decree", effective November 1st.

Jackson-Vanik Overcomes the Education Repayment Tax

We will not discuss here the reasons for the imposition of such a decree, making US renewal of MFN preferential trade tariffs and associated credits impossible at a time of great economic decline in Romania and political coolness between Moscow and Bucharest. For several months, Romanian officials loudly declared that the decree was unchangeable. We remained firm in our conviction in the power of the Jackson-Vanik Amendment. We found it hard to believe that at a time of national bankruptcy second only to that of Poland, the effective loss of $250,000,000 US currency, the diminution of valuable business contacts in expanding markets as well as the potential of future credits from the Ex-Im Bank and the Commodity Credit Corporation (CCC), that Romania would hold out. Nevertheless, during these very difficult months, Romanian concessions did not appear certain, and a number of US relatives of Romanian exit applicants panicked and paid the ransom money.

High level bilateral discussions proved apparently fruitless. Consequently, on March 4, 1983, President Reagan announced the termination of Romanian MFN unless the tax was removed by June 30th. Finally, after Romanian Foreign Minister Stephan Andrei's Washington trip of May 17-18, reports began to reach us that Romanian officials were no longer insisting on the education tax, nor were they requesting hard Western currency in relation to the other taxes mentioned in the decree.

However, disturbing instances of noncompliance soon surfaced, for example, the continuation of the tax for persons going to countries other than the US, West Germany and Israel. Vigorous US response apparently rectified these infractions. Though evidence of nonimposition was still somewhat fragmentary, the President recommended renewal of Romanian MFN because "I have received assurances from the President of Romania that Romania will not require reimbursement to the state of education costs as a precondition to emigration, and that Romania will not create economic or procedural barriers to emigration."

What is the Nature of Romanian Assurances to the White House?

We understand that some of these assurances were received in writing (another first), but the White House has refused to make them public or even to discuss them. Consequently, we must ask, what is the nature and substance of these assurances? To what extent do they cover for the future the provisions of the decree other than the education tax? For example, the payments of "medical expenses, taxes and tariffs for foreigners" -- the prospective emigrants is treated as a "foreign tourist" for the remainder of his stay. What about the wholesale confiscation of homes, land and the various taxes on personal possessions? Do the President's words "procedural barriers" mean the same thing as last

August's Romanian assurances to Congress regarding simplification and accelration of the emigration process? What about harassment of prospective emigrants?

Unfortunately, we continue to hear of individuals whose requests to leave go unanswered, and of others who are persistently refused exit visas. On June 27th, an extraordinary report reached me from an American with relativesin Cluj. On June 24th, a group of would-be emigrants had been assembled in the town and informed by the Securitate that emigration was finished, no more application forms were available from the State Council in Bucharest, and tere would be no job reinstatement for those dismissed when they applied to leave. US diplomatic personnel have not yet been able to confirm the report.

Need for Relentless Congressional Monitoring of Romanian Emigration

Though we now have written Romanian assurances, past and current experience makes it clear that Congressional legislators, particularly the trade subcommittees and the Helsinki Commission, chaired by Rep. Dante Fascell and Senator Bob Dole, must assist in relentless monitoring of the situation.

Tel Aviv and Bonn have shown even more reluctance than Washington to reveal "arrangements" made with Bucharest.

Increased Romanian Emigration to Israel Does Not Match Numbers Wanting to Leave

The 1982 increase of Romanian arrivals in Israel, 1515, compared with 973 in 1981, can be attributed to our work with the White House and Congress, but should not be a cause for self-congratulation, as our calculations indicate that at any one time some 2500 Jews are registered to leave. These registrants do not include those who have 1) not gotten beyond the pre-application process 2) have been turned away in their attempts to register at the police station 3) are afraid to apply at all for fear of the consequences. If the fear were removed, Jewish emigration would quickly accelerate to 4 - 5000 annually.

New York attorney Ira Kleiman, working on the Romanian Jewish lists of would-be emigrants, has shown as of December 31, 1982, that 1890 Jews were officially registered for emigration with the Jewish community offices. This total does not include the substantial numbers arriving in Israel who do not register with the Jewish offices. Thus, based on analyses of previous years, if the percentage of these varies between 40 - 60%, we have a 2500 year total. The lists also reveal a distressing total of 118 registered applicants waiting to leave from a period of years up to and including 1981 -- 40 through 1980, 78 from 1981 (names attached to testimony). Clearly, even the 1982 increase of 50% to 1515 is quite inadequate.

The rate of emigration to Israel in the first six months of 1983 is not promising. Though the first quarter showed an unusual 329, the number of fresh exit permits granted dropped to 180. This is the approximate number of those who arrived in Israel during the second quarter, making a total just over 500 for the first half of the year. This does not meet the assurances we were given that this year's totals might approach the 2000 mark.

Need for Ongoing US-Romanian Discussions on Fundamental Emigration Problems

We are finding that with the euphoria created by the suspension (not abolition) of the education tax, the fundamental emigration problems tend to be forgotten. What about the heavy backlogs? What about those individuals selected for endless years of waiting and suffering? What about the frequent difficulties of obtaining application forms? The lengthy and/or arbitrary delays and harassments as part of the emigration process?

These troubles may have diminished somewhat at this time of MFN review, but have US officials been able yet to affect fundamental chances in terms of simplified and accelerated emigration processes? We request the committee to recommend to the Administration persistence in its attempts to set up a high-level mechanism for ongoing bilateral discussions, covering the areas dealt with by my 10-point program enunciated during the past two years and reported in earlier hearings.

1980 Refugee Action: East European Immigration Quotas Halved

As a result of the huge illegal immigration over US borders, Congress passed the 1980 Refugee Act. This eventually resulted in the halving of the regular immigration quotas from East Europe, and a paradoxical situation has arisen. While fighting for the application of Jackson-Vanik in regard to Soviet bloc countries, over 1000 Romanians who finally managed to obtain exit visas are stranded in that country under difficult circumstances. On August 26, 1982, the US embassy in Bucharest refused to open any more immigration files. It is reported that 8000 - 9000 Romanians are registered for admission to Third Country Programs (TCP) for refugee status. While Rep. Mazzoli's Immigration and Refugee Subcommittee has followed a hard line, other Congressional pressures have helped to alleviate the situation, and US government officials have resorted to the expedient of shifting numbers from unfilled quotas, such as the Soviets, to the Romanian. We welcome this reassertion of American humanitarian will.

Jackson-Vanik and Other Forms of Congressional Economic Leverage

The Jackson-Vanik "freedom of emigration" Amendment has stood for almost a decade as the legislative embodiment of a noble American commitment to give practical form to the great ideal of a haven of refuge. Responding to a recent inquiry, Secretary of State Shultz indicated in June that he had changed his mind on the importance of Jackson-Vanik because it had worked in the case of Romania.

If the Supreme Court's decision striking down Congress' veto power over Presidential determinations appears to have diminished Congressional leverage with Bucharest, we will find ways of restoring some of that leverage. Congressional banking and agricultural committees, with their oversight of Ex-Im Bank and CCC credits, provide good potential for this. I well remember the period before Jackson-Vanik and the very limited effectiveness of pious resolutions deploring human rights infractions because they did not have the support of economic and technological sanctions.

Repay Those Who Paid The Education Tax

One unfortunate byproduct of the education repayment tax has been the financial burden imposed on the US relatives of prospective Romanian emigrants who were panicked into making lifetime loan commitments in order to pay the decreed tax. An elderly Connecticut couple borrowed $40,000 for their daughter and son-in-law. The number of these people is small, and the total amount they paid may be well under $100,000. We request the committee to call on the Romanian government to repay these people.

Amnesty for the Vatra-Dornei Four: Ending 30 Years of Suffering

Finally, this committee has the unique opportunity to help resolve the tragedies of four old men and their families, relentlessly penalized over a period of 29½ years. During the early 1950s, there was a series of anti-Jewish trials throughout the Soviet bloc. In January 1954, a group of Jewish employees of a Soviet-Romanian concern, the Sov-Rom Wood Corporation in Vatra-Dornei, were seized on charges of allegedly misappropriating a quantity of wood worth several hundred dollars in real terms. After serving long sentences at hard labor, huge "damage to the "state" fines were imposed which they have to pay for the rest of their lives. Without an official state amnesty, they cannot join their children and grandchildren abroad.

During the early 1960s, another round of anti-Jewish trials in Romania (again part of a wave in the Soviet bloc) resulted in similar convictions of more important officials of Jewish origin. During the 1978 and 1980 summer hearings on Romanian MFN, Bucharest was prevailed upon by Congressional and Administration pressures to grant amnesties to 18 of these officials and formally clear the way for their emigration.

The four elderly, ailing survivors of the Sov-Rom trial of Vatra-Dornei can be amnestied in the same way. They are:

Isaac Bleichner of Vatra-Dornei
Natan Fleischer of Bacau
Samuel Feiden of Vatra-Dornei
Herman Rubiner of Bucharest.

We look forward to forceful, humanitarian representations to Bucharest, hopefully resolving once and for all three long decades of their suffering.

STATEMENT OF Z. MICHAEL SZAZ, SECRETARY OF THE AMERICAN HUNGARIAN FEDERATION, SPRINGFIELD, VA.

Mr. SZAZ. Thank you, Mr. Chairman.

The period between July 1, 1982, and June 30, 1983, stood, for the 2½ million Hungarians in Transylvania, as a sign of rising opposition by Hungarian intellectuals against the Ceausescu regime. This resulted in the imprisonment and beatings of several of them. And finally they were released as a result of international pressure, including a letter sent to President Ceausescu by Representative Donetur from the house of representatives and 59 of his colleagues.

The arrests occurred after the Samizdat publication Counterpoints in the September 1982 issue in Hungarian published a memorandum, which was sent to the review conference of the CSCE, and also a lengthy program prepared, outlining grievances of the Hungarians and suggesting means for ameliorating the conditions in the spirit of the guarantees given to them by the Romanian Constitution and by the obligations entered into by Romania by being a signatory to the International Covenant, on Civic and Political Rights, and to the Helsinki Declaration.

The aim of the Hungarian intellectuals was to bring the two nationalities of Transylvania—the Hungarians and the Romanians—closer together, a process that must include complete equality between them and mutual care for their historical and cultural traditions. Thus, the program was not incendiary; it was Irenic.

Yet, the reply of the Romanian Government was to unleash their secret police on the assumed "others," and interrogate them, beat them, and abuse them for a week. For example, much of the hair of Prof. Charles Toth was torn out, Geza Szocs was so badly beaten that upon his release he was hospitalized and could hardly walk for days.

Yet, Mr. Chairman, the spirit of these people has not been broken by the Romanian secret police. In December 1982 and March 9, 1983, Karoly Ara Kovacs issued new statements protesting the policy of the regime as a whole. This statement was smuggled out to the West and appeared in several publications. Thus, a brave but difficult undertaking of Hungarian intellectuals in Transylvania continues despite the brutal measures applied against its leaders by the Romanian secret police.

Mr. Chairman, the memorandum and the program proposal of the Ellenpontok clearly exposes the mendacity of the Romanian Government propaganda, that only Fascist organizations trying to foment trouble between the nationalities are criticizing the Romanian Government's policy regards the nationalities.

The renowned poet Geza Szocs, one of the leaders of the intellectuals, has become a nonperson in Romania, having exposed that the emperor has no clothes. Yet the cry for help is not coming only from Geza Szocs, Kardy Ara Kovacs, and his brave colleagues, and more only from the silence neither of the Hungarians in Romania, Karoly Kiraly. Reports are reaching about new waves of unrest all over the Hungarian city of Transylvania. Mr. Hamos gave you some details on that.

Our members who are traveling through Transylvania are bringing back stories of near starvation, atrocities, and news of systematic settlement of Romanians into Hungarian regions, and about the steady elimination of Hungarian sections in Romanian schools. They speak of mysterious deaths, either by accidents, car accidents on empty highways, or in hospitals, of those who dare to defy the regime, which makes General Yalursarski's marshal law look like a democracy.

President Ceausescu now succeeded in alienating, perhaps irreversibly, the Hungarians of Transylvania, and simultaneously he is knocking on our doors for an extension of the MFN status.

In the House of Representatives, 219 Members of Congress wrote on July 12, 1983, to Secretary of State George Schultz requesting the Secretary to add to his negotiating agenda the persecution of the 2½ million Hungarians and their churches in Romania in the nearest future.

The American-Hungarian Federation takes a position that Romania's MFN status be not renewed unless concrete measures are taken by the Romanian Government to alleviate the oppression of the 2½ million Hungarians in Romania.

Secretary Schultz' brave stand against the illegal emigration tax had forced the Romanian Government to abandon the injurious decree. It is our opinion that a similar approach would result in improvements of the human and cultural rights of the Hungarians in Romania.

Mr. Chairman, I would like at this time to ask that my prepared statement be read in the record, and I would just mention one more item which has to do with the MFN status of Hungary.

As to the extension of MFN status of Hungary, we are basically in favor of that.

Senator DANFORTH. Your statement will be placed in the record.

Mr. SZAZ. Well, it's only a half a minute.

Senator DANFORTH. Half a minute?

Mr. SZAZ. Yes. We are in favor of extending it for 1 or 2 years, but in no case for 5 years. The necessity of the review process was clearly demonstrated recently when the Hungarian writers league, at the Communist Party's demand, banned one of the best-known Hungarian writers, Sandor Csoori, from publication for 1 year. What was his criminal deed? He had published a forward to an autobiographical work of Miklos Duray, a Hungarian writer in Czechoslovakia, which was published in New York. Banning him from publication is an absolute example of violating the free flow of ideas concept of the Helsinki Declaration, and we hope that the subcommittee will protest this breach of faith and will insist upon remedial action.

Thank you, Mr. Chairman.

Senator DANFORTH. Thank you.

[Mr. Szaz' prepared statement follows:]

Z. MICHAEL SZAZ, PH. D., SECRETARY OF INTERNATIONAL RELATIONS, AMERICAN HUNGARIAN FEDERATION MEMBER, INTERNATIONAL RELATIONS COMMITTEE, TRANSYLVANIAN WORLD FEDERATION MEMBER, AMERICAN HUNGARIAN ACTION COMMITTEE

Mr. Chairman! The period between July 1, 1982 a~~d~~nd June 30, 1983 stood, for the 2.5 million Hungarians in Transylvania, in the sign of rising opposition of Hungarian intellectuals against the Communist Ceaucescu regime. This resulted in the imprisonment and beatings of some of them and finally in their release as a result of international pressure, including a letter sent to President Ceaucescu by Representative Don Ritter (R., Pa.) and 59 of his colleagues on December 20, 1982.

The arrests occurred after the samizdat pubilication, *Ellenpontok* September 1982 issue in Hungarian. This published a memorandum to the Madrid Review Conference on Security and Cooperation in Europe and also a lengthy program proposal outlining the grievances of the Hungarians and suggesting ways and means for ameliorating the conditions in the spirit of the guarantees given to them in the Romanian Constitution and by the obligations assumed by Romania in the Helsinki Declaration of the CSCE of August 1, 1975 and the International Covenant on Civic and Political Rights to which Romania is a signatory. The aim of the Hungarian intellectuals was to bring the two nationalities of Transylvani the Hungarians and the Romanians, closer together, a process that must include complete equality between them anf mutual care for their historical and cultural raditions. This, this program was not incindiary, but irenic, yet the reply of the Romanian Government was to unleash the secret police on the assumed authors, interrogate and abuse them for a week. E.g., much of the hair of the young philosopher, Attila Ara-Kovács was torn out and Géza Szőcs was so badly beaten that he could walk only with difficulty for days upon his release.

Yes, Mr. Chairman, their spirit was not broken by the beatings of the Romanian secret police. In December 1982 and March 1983 Attila

Ara-Kovács issued new statements protesting the policy of the regime as a whole. These statements he had succeeded in smuggling out to the West and they appeared in several publications. Thus, the brave but difficult undertaking of the Hungarian intellectuals in Transylvania continues despite brutal measures applied against its leaders by the Romanian secret police.

Mr. Chairman: The memorandum and the program proposal of the Ellenpontok clearly exposes the mendacity of the Romanian government propaganda that only Fascist exile organizations ~~are~~ trying to foment troubl between the nationalities are criticizing the Romanian government's policy toward the nationalities.

The nationally renowned poet, Géza Szőcs, one of the leaders of the intellectuals, has now become a non-person in Romania having exposed that the Emperor has no clothes.

Yet the cry for help is not coming only from Géza Szőcs, Attila Ara-Kovács and his brave colleagues and not only from the silenced leader of the Hungarians in Romania, Károly Király. Reports are reaching us about new waves of arrests all over the Hungarian cities of Transylvania. Our members who are travelling to Transylvania are bringing back stories of near starvation, atrocities and the news of systematic settlement of Romanians into the Hungarian regions and about the steady elimination of Hungarian sections in Romanian schools. They speak of mysterious deaths, either by car accidents on empty highways or in hospitals, of those who dared to defy the regime which makes General Jaruzelski's martial law look like a democracy.

President Ceaucescu has now succeeded in alienating, perhaps irreversibly, the Hungarians of Transylvania, but simultaneously he is knocking on our doors for an extension of Romania's MFN status.

In the House of Representatives, 219 members of Congress wrote on July 12, 1983 to Secretary of State George Shultz requesting the Secretary to add to his negotiating agenda the persecution of the 2.5 million Hungarians and their churches in Romania in the nearest future.

The American Hungarian Federation, the Transylvanian World Federation and the American Hungarian Action Committee take the position that Romania's MFN status be not renewed unless concrete measures are taken by the Romanian Government to alleviate the oppression of the 2.5 million Hungarians in Romania before any extension goes into effect. Secretary Shultz's brave stand against the illegal emigration tax had forced the Romanian Government (of course, only after they blackmailed West Germany to the amount of DM 132 million) to abandon the injurious decree that asked United States citizens to pay ransom for the release of their relatives, It is our opinion that a similar approach would result in improvements of the human and cultural rights of the Hungarians in Romania and further their right to national self-determination. For without the latter, no permanent solution of the question will be possible.

Mr. Chairman! Without progress toward religious rights for all, and without remedying the human, cultural and self-determination rights of the 2.5 million Hungarians in Romania, our policy toward Romania by extending the MFN ststus would be exposed as a pious fraud of the principles this country stands for: freedom, democracy and equality before the law.

The American Hungarian Federation, the Transylvanian World Federation and the American Hungarian Action Committee repeat their call to the Subcommittee and the State Department to insist upon talks and concrete measures before an extension of the MFN status of Romania In doing so, the Senate would echo the sentiments so eloquently expressed by the majority of House members who had endorsed the concept of talks and concrete measures in their letter to Secretary Shultz.

As to the extension of the MFN status of Hungary, we are basically in favor of extending the same for one or two years, in no case for five years. The necessity of the review process was clearly demonstrated recently when the Hungarian Writers' League, at the government's and Communist Party's demand, banned one of the best-known Hungarian writer, Sándor Csoóri, from publication for one year. What was his criminal deed? He had published a foreword to the autobiographical work of Miklós Duray, a Hungarian writer in Czechoslovakia, which was published in New York. Banning him from publication is an absurd example of violating the free flow of ideas concept of the Helsinki Declarations and we hope that both the Subcommittee and the State Department will protest this breach of faith and will insist upon remedial action.

Thank you, Mr. Chairman!

STATEMENT OF ILDIKO TRIEN, NORTH CALDWELL, N.J.

Ms. **Trien**. Thank you, Mr. Chairman. I grew up in Romania in the middle of the cold war. My father spent 10 years in a prison camp for the crime of being rich. It was a time when the simple fact was that if you had family in the West, it jeopardized your freedom.

Those were not only hard economic times; they were really times of fear, lies, and distortions of history. Some of my family still lives in Romania. No child of theirs should have to experience those same fears.

More than anyone, I understand what the reunification of the family means. I was separated from my father; I had no forum or panel to appeal to; I had no one to reach out to.

Not far back, only 11 years ago, my husband asked Senator Clifford Case for help in my Romanian emigration problem. The Senator's reply was, "Sorry, we cannot do anything; it's a Romanian internal matter." Today, what a big difference! In the last 6 months we saw the Romanian Government impose an educational tax, an exit tax. We saw President Reagan react by announcing that they will not request a waiver under section 402. It is because Romania had enjoyed the MFN status and its benefits, and it coldly calculated the cost of losing that status, that Romania abandoned the exit tax proposal. I do not think it was an easy decision; but they made it.

It is not only Romania that has a problem with the brain drain. Most developing countries of the world have the same problem. The United Nations had a special session regarding that issue.

I don't know how to protect the rights of the children of the developing countries. Don't they have the right to grow up with medical care, good doctors, the right to education to develop their minds, the right to good teachers? Of course, no exit taxes and no laws will solve this problem; but it is a problem that is not unique to Romania.

Economic leverage properly and strategically implemented is a very powerful force, but America has to decide how it is going to use this power in Eastern Europe. America should want to be able to distinguish between the countries in that area of the world. We must have the ability to reward conduct and movement in the direction we support.

It is clear that Russia has economic problems, and that it is probably one of their weakest areas where we are strong. To refuse now to play this economic card with certain Russian satellites is to neglect an opportunity. It is not a conjecture. Romania changed direction in an area they considered strictly an internal matter. This proves that we have a way of showing the world what is important to us and what we are willing to pay in an economic price to support those values. By this conduct, we can influence the world. I assume it is obvious that I support the MFN status.

I want to add that I am Hungarian. I grew up in Romania. My father is from Vienna, my mother from Hungary and they moved to Transylvania. Part of my family is still in Transylvania. They are intellectuals. I feel a little bit insulted by the previous speaker saying that there are not any intellectuals left who are not part of the Communist Party. My family is still there. They are professors in Babesz-Bolyai University. They are not dead. I am sorry but the speaker was wrong. They do not want to emigrate. They could have emigrated. They have reached the age that they cannot make the change. They have status there.

I visited Romania with my family in August. I have been in Transylvania, and I can answer if you have any questions regarding it.

I have never been suppressed in Romania. I survived being Jewish. Some of my family ended up in Auschwitz, the ones who had been in Hungary and Vienna. I survived. I am here today because I was lucky to be in Romania. My family, who is still in Transylvania, is not persecuted.

Senator **Danforth**. Thank you very much.

[Ms. Trien's prepared statement follows:]

STATEMENT OF ILDIKO TRIEN BEFORE THE HOUSE COMMITTEE ON WAYS AND MEANS REGARDING EXTENSION OF MOST-FAVORED-NATION-STATUS TO ROMANIA

It is little more than a decade since Richard Nixon visited Romania and the work to establish good relations between America and Romania began. During the administrations of four American Presidents, with all the ups and downs of relations between these two countries, I tried in a small way to help this subcommittee better understand Romania and the realities of that part of the world.

I grew up in the Romania of the 50's, in the middle of the Cold War. My father spent ten years in a prison camp for the crime of being rich. Those were not only hard economic times; they were times of fear, lies, and the distortion of history. I had a bad social status because of my bourgeois family. It was a time when the simple fact that you had family in the West jeopardized your freedom. Some of my family still lives in Romania (they are not and never have been members of the Communist party.) No child of theirs should have to experience that fear.

More than anyone I understand what reunification of family means. I was separated from my father, but I had no forum or panel to talk to. I had barbed wire to reach through to touch him.

Not that far back, only eleven years ago, my husband asked Senator Clifford Case for help in a Romanian emigration problem. The Senator's reply was, "Sorry we cannot do anything. It is a Romanian internal matter." Today what a big difference. In the last six months we saw the Romanian government impose an educational exit tax. We saw President Ronald Reagan react by announcing that he would not request the waiver under Section 402. It is because Romania had enjoyed MFN status and its benefits and could calculate the economic costs of losing that status that Romania abandoned the exit tax proposal. I do not think it was an easy decision, but they made it. It is not only Romania that has a problem with the "brain drain"; most of the developing countries of the world have the same problem. The United Nations had a special session regarding this issue. I do not know how to protect the rights of the children of the developing countries. Don't they have the right to grow up with medical care, good doctors, the right to education to develop their minds, the right to good teachers? Of course, no exit taxes and no laws will solve this problem. But it is a problem that is not unique to Romania and we should understand their action, as wrong as it was, in the context of the problems that they are trying to solve. Hopefully, cooperation and the free exchange of ideas will help.

Economic leverage, properly and strategically implemented, is a very powerful force. But America has to decide how it is going to use this power in Eastern Europe. America should want to be able to distinguish between the countries in that area of the world. We must have the ability to reward conduct that is movement in the direction we support.

It is clear that Russia has economic problems and that there is probably one of its weakest areas and our strongest. To refuse now to play this economic card with certain Russian satellites is to neglect an opportunity. This is not conjecture. Romania changed direction in an area that they considered strictly an internal matter. This proves that we do have a way of showing the world what is important to us and that we are willing to pay an economic price to support those values. By this conduct, we can influence the world.

It should be obvious from my remarks that I still support the waiver. The events of the last six months have proved the usefulness of this agreement.

Senator **Danforth**. Senator Bradley.

Senator **Bradley**. Thank you, Mr. Chairman.

Let me thank all of the witnesses for their testimony, and particularly Ms. Trien. I think that your statement is very eloquent, and I want to make sure that what you said about the MFN—do you think that the continued extension of MFN to Romania gives us leverage that allows us to try to increase and improve and insure freedom of emigration and human rights?

Ms. **Trien**. Absolutely, sir. We see many cases that were resolved and solved in the last year. I am sure there are lots of cases that are unsolved; but, if the MFN status would not be there, how will you communicate with them?

Senator **Bradley**. So are you saying if we didn't have this coming up every year, we would lose a great deal of leverage over what happens in Romania?

Ms. **Trien**. I assume so. Yes, I do think so, Senator.

Senator **Bradley**. Mr. Szaz, one question.

Mr. **Szaz**. Yes?

Senator **Bradley**. You would support a 1-year extension for MFN to Hungary, but that's the limit? Is that the idea? For the same reason?

Mr. **Szaz**. Well, the reason in the case of the Hungarian MFN is that we are basically in favor of giving them MFN status; but we have been confronted at times with situations which should be resolved. So I think the yearly review is correct.

Senator **Bradley**. You would support it for 1 year?

Mr. **Szaz**. Yes.

Senator **Bradley**. Ms. Trien, if I could ask you one more, how have you seen Romania change because of the trade that has taken place?

Ms. **Trien**. Since 1970, when I remember leaving for the airport after President Nixon's visit to Romania, it was like a dream just to mention anybody was going to the States. America was "someplace over there, unreachable and untouchable."

In 1975 when I first went back to Romania to visit my family, you saw the children in the streets repeating "Scooby-do-be-do" from the Flintstone family, you had "Texas," "Dallas," you had television serials from the United States there. I think it is very important that the people of Romania see the true America.

The kids in the streets are all in blue jeans; the American flags on their pants there do not differ from the American teenagers right here. They had access to the American library, which is very important. There is a tremendous, beautiful job done by the library in Romania, and intellectuals, the people, can go and see movies, books, New York Times newspapers from the library. That door is opened. You see what really is going on in the United States. You have a communication with the United States.

Besides that, today you have thousands of Romanians who can come to you and ask, "I want my family," that never happened in the seventies. If you had a hearing to ask for people to emigrate, you would have no audience, because there would have been no Romanians in this room or in any other forum to talk, because they were not here. There was an old emigration from the 1820's, not like the 1956 Hungarian, most of them in Canada. You had an emigration from Romania after the Second World War in 1947 and 1948. And that was the Romanian emigration.

Now you have the new Romanians coming, and that is because of the MFN status.

Senator **Bradley**. Thank you very much.

Senator **Danforth**. I want to assure each of you that your statements will be reviewed in full. The information that you have supplied for us is greatly appreciated. I know that you would like to speak at much greater length than you have been allowed by the committee, but we do want to assure you that we will review all of the information you have supplied us.

That concludes the hearing; thank you very much.

Ms. **Trien**. Thank you very much.

[Whereupon, at 11:54 a.m., the hearing was concluded.]

[The following communications were made a part of the hearing record:]

STATEMENT

H.K. BABOYIAN
UOP INC.

I am H.K. Baboyian, Vice President of UOP Inc. I am pleased to have this opportunity to support President Reagan's recommendation that an extension of the waiver authority for the Socialist Republic of Romania, the Hungarian People's Republic, and the People's Republic of China, be granted under Section 402 of the Trade Act of 1974.

UOP is engaged in the development of energy technologies, engineering services, and manufactured products on a worldwide basis. We have done business in Romania for almost half a century and we are convinced that the results for our firm and Romania have been mutually beneficial. Our business relationship with the People's Republic of China began shortly after the signing of the Shanghai Communique and has been excellent for both parties. Our interests in Hungary have also been longstanding and of mutual benefit.

Romania has significantly adapted its foreign trade relations to Western business conditions. As a result, U.S. companies have increased their share of Romanian trade done with the West, especially since 1975 when Romania first achieved Most Favored Nation status.

In 1981, the U.S. was Romania's third largest trading partner with a combined turnover of $1.06 billion - up slightly from 1980. In 1982, trade fell substantially to only $0.56 billion due to worldwide economic sluggishness - resulting in a significant loss of business to U.S. firms.

Romania has made great strides to open new trade relationships not only with the U.S. and other Western countries, but also with lesser developed countries, some of it in cooperation with U.S. companies, such as UOP. Denial of Most Favored Nation status to Romania could damage Romania's trade credibility at a time when it is making great efforts at repaying its foreign debts and restructuring its economy. In essence, MFN status, if granted again, would provide Romania with an important political and economic goodwill rating.

With respect to our trade with the People's Republic of China and Hungary, here improvements in trade have been steady. U.S.-China trade has indeed increased sharply, especially since China completed its reorientation toward Western trade practices.

Most Favored Nation status would not, as the term implies, extend any special treatment to these countries. It would merely continue to recognize them as good trading partners - partners dealing in good faith, both in terms of their adherence to international agreements and nondiscrimination against U.S. goods and services, and as partners that exercise international competitive practices that we in the private business world value as a true measure of free trade.

UOP Inc. believes that continued Most Favored Nation status will further strengthen and facilitate business between the Socialist Republic of Romania, the Hungarian People's Republic, the People's Republic of China, and the U.S. Therefore, we support President Reagan's recommendation for a further extension of the waived authority under the Trade Act of 1974 for these three countries.

Continued Most Favored Nation status for these countries is an important, symbolic and practical decision to show these nations that they have their place among our valued trading partners, as well as a bold sign to the world that the U.S. is willing to register such friendship publicy.

STATEMENT

By Rev.D.Pascu,Director-Founder of the Romanian Radio Hour of Cleveland, Ohio;Rev.A.S. Lucaciu,President,Romanian-American Baptist Fellowship;and George Crisan,Editor of The Christian,Legal Counsel.

For the benefit of the Subcommittee on International Trade of the U.S.Senate Finance Committee,on the Presidential Recommendation to continue the waiver applicable to the Socialist Republic of ROMANIA, and to extend the waiver authority under the TRADE ACT OF 1974.

THE ORANIZATIONS HEREIN RECOMMEND APPROVAL OF PRESIDENTIAL RECOMMENDATION

The religious organizations we reprezent comprise Romanian-English speaking Baptist believers, with a membership of about 2500,throughout the United States. As Christian believers of Baptist denomination, we are persuaded that by the extension of the MFN clause to Romania the United States would benefit,politically as well tradewise.

The Christian, a quarterly,is the mouthpiece of the Romanian-American Baptist Fellowship. It is read by more than 2500 members in the United States and it goes also in 26 countries in Western Europe and Romania.

We have traveled extensivelly in Romania and have personal knowledge that the Romanian Government honestly wishes and tries to comply with the Trade Act clauses and also with the Helsinki Statements.

Last several years we have experienced obstacle and even hardship in securing exit authorizations for persons who were approved by the US Immigration Services to come to the United States and join their families.We have asked for explanations the officials at the Romanian Embassy in Washington. They only gave us assurance that eventually all hurdels will be passed,since the local authorities have power to grant,on the first level, the approval to leave the country.After years of waiting, the applicants were permitted to leave Romania.

In our trips we have the opportunity to experience that the Romanian Bapaist enjoyed the same treatment as other denomnations,inclusive the Romanian Orthodox Church which comprises most than 80% of the population of Romania. To be sure, the freedom such worshipers enjoy in Romania is not to be compared with the religious freedom enjoyed by wrshipers here in the United States.

We attended Baptist churches with the Hungarian language.George Crisan, who speaks Hungarian traveled through the region where the majority of the population is of Hungarian ethnic. The people spoke only Hungarian in restaurants and hotels,the signs on the streets were in Hungarian and Romanian languages also there were daily published in Hungarian language.

Romanian Nation,regardless of what kind of government had,was and we strongly believe is Western oriented.Through her History Romanian nation was a stumbling block of Latin nation in a slavonic sea,against Russian centuries old drive for open seas.Since the Communistic Government was installed in Romania with the Russian bayonet,nevertheless,Romanian Communist rulers very often asserted national independence.

We are fully aware of the Romanian financial - economic problems. Nevertheless, the fact that the United States extends a friendly hand to Romania , we keep a friend looking toward the West,although the government is of communist totalitarianism.We believe that this way Romania or the nation as a whole looks more and more toward West,toward the United States for help and understanding,rather than be a part and parcell of the Communistic Block under Russian direction.

we thank you for the opportunity in submitting this Statement and for its consideration and inclusion in the Committee's proceedings.

August 29,1982

By George Crisan
George Crisan
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CONSILIUL NATIONAL ROMAN
ROMANIAN NATIONAL COUNCIL
NORD AMERICA SECTION
SECTIUNEA AMERICA DE NORD
A NON-PROFIT ORGANIZATION -Reg.Book 088 Page 623/1978,N.J.
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THE EXECUTIVE BUREAU
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July 25,1983

Mr.Roderick A. DeArment ,
Chief Counsel,Committee on Finance,
Room SD-219,Dirksen Senate Office Bldg.,
Washington D.C.20510

STATEMENT

of Dr.Alexandru Bratu,Ph.D. in Law and Economics;
-President of the "Romanian National Council-Nord America Section";
-Coordinator of International Affairs of the "World Anti-Communist Action Front"(WACAF);
-Playwright,member of ASCAP-"American Society of Composers,Authors, and Publishers" ;
-Active member of "New York Academy of Sciences";
-Former assistant professor at Law School of Iassy University-Romania, Lawyer,and Economist.

HONORABLE CHAIRMAN,AND DISTINGUISHED MEMBERS OF THE COMMITTEE:

The "Romanian National Council ",founded on June 3,1978,is a general organization of Romanian in exile,whose goals are to promote the ethnic values of Romanian Culture,and to struggle for Human Rights of the Romanian people who want to set free Romania from the totalitarian communist system,and to defend the historical Romanian territories. All Romanian freedom fighters and the anti-communist former political prisoners cannot forget that the Romanian provinces BESSARABIA,NORTEERN BUCOVINA and HERTZA county were forcibly annexed by U.S.S.R. in June 26,1940,as a result of the infamous Pact Molotov-Ribbentrop,from August 23,1939,and after August 23,1944,with the consent of the Western Powers and even that of the Romanian Communist Party's chiefs,who were and are obedient subservients to the Kremlin chiefs,as Soviet satellites.From that time forth 3,500,000 Romanians from Bessarabia, Bucovina and Hertza,and other 23,000,000 Romanian people from inside of Romania need the freedom from fear,because each man is suffering from a constant fear of being investigated and sentenced to prison with every word or gesture suspect.
To become precise,I would never do anything to harm the interests of Romanian people,but I urge you to think about the implications before deciding to continue the preferential treatment to Romania of today.- Even the president of Socialist Republic Romania and first secretary of the Romanian Communist Party-Nicolae Ceausescu- declared that:"In Romania is no place for other kind of participation and other democracy,than the democracy of the workers class of people who build the socialism and the communism "(February 18,1977).

It is well-known that the communist chiefs are a kind of oligarchs, who hold the power and exercise it having enormous privileges.The political discrimination between the communist party's members and other people is so obviously,that let to the last ones the general feeling of injustice.From a rich country of another time,Romania became a country of hunger and sadness.Many people would like to leave the country,but they couldn't obtain the proper forms to apply for a passport,and even the members of the communist elite would like to leave Romania and they did at the first occasion being abroad.
It is common knowledge that very large loans have been made by the United States and western banks to the countries of Eastern Europe which are governed by communists.What is the reason of such loans? Are U.S.A. and other Western governments hoping that these loans would stabilize conditions of life in the countries which are Soviet satellites,in order to discourage popular revolts against their communist governments?To whom is this useful ?
The answer is:Only to the Soviet Union Empire in order to conquer the entire World by "external encirclement,internal demoralization and thermonuclear blackmail".
Based on these reasons,The"ROMANIAN NATIONAL COUNCIL -AMERICA SECTION" ask for that the "Most Favored Nation "treatment to the Socialist Republic of Romania must be conditioned by the respect of the following measures:
a.-To stop the cruel exploitation of the Romanian workers;
b.-To permit the Free Unions of Romanian workers and intelectuals;
c.-To release from prison the political prisoners who are still detained in jail or in mental hospitals,and forced labor camps;
d.-To permit the worship of the Romanian Catholic Curch of Byzantine Rite,which was interdicted starting with December 1,1948;
e.-To accept the free association and activity to other political democratic activities,not only for those of Communist Party;
f.-To permit the families reunification and free commnunication of Romanians with other countries;
g.-To stop the political discrimination inside of Romania between the Communist Party's members and the Romanian opponents and dissidents;
h.-To proclaim that the years served by political prisoners and by prisoners of conscience in jails,psychiatric hospitals,forced labor camps and force residence,to be taken into the amount of their retirement plans as "years served into work's field ",or "in the pension's plans of widowed wives or orphaned children"(2-nd case of decease);
i.-To restore the "Human Rights" in Romania under permanent control of an United Nation Commission of Human Rights.
In order to give some more and precise information about the disrespect of the elementary Human Rights and cruel terror exerced by the communist dictatorship in Romania today,I cite now some of these cases which are showing us that the Communist Government of Romania is in a continuing violation of the Helsinki Pact from 1975:
1.-Constantin Dumitrescu,a former lawyer and Secretary of 2-nd Sector Bucuresti of National Peasant Party,now 69 years old,who served 15 years in communist jail (1948-1963),and after that was sent to forced residence in Latesti -Baragan,where he remained after 1964 as a protester,was arrested again in 1976 and sent to the mental hospital of Poiana Mare,district of Dolj,because he wrote a political essay entitled "THE DENIED DIGNITY",in spite that it wasn't published.Now he is kept under guarded vigilance in Bordusani village,district of Ialomita,nobody having the possibility to see and speak with him.
2.-Rev.Gheorghe Calciu-Dumitreasa ,a former political prisoner from Pitesti and Gherla Jails,who became an orthodox priest at Radu Voda Church and professor in Seminary School from Bucuresti,was fired on May 17,1978 because he deplored the demolition of "ENEI CHURCH" from

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Bucuresti,and "DOMNEASCA CHURCH" from Focsani,and in 1979 he was convicted to 10 years of prison for "propaganda against socialist order" because in one of his sermons about atheism and Faith,he named the "materialism "system as a "Philosophy of Despondency".

3.-Gheorghe Grecu,born on May 27,1913 and his wife Maria Grecu (maiden name Chicos),born on June 10,1916,made many interventions to the Romanian authorities in order to abtain the proper forms to leave Romania for family unification with their daughter DOINA COSIMBESCU (maiden name Grecu)-residing at 8 East 48 St.Apt.4 B,New York,NY.10017, but they had received only refusals,with no explanation.Mr.Gheorghe Grecu was a political prisoner anti-communist for 15 years in jail, -1948 -1964,and he is under continuing harassment of Securitate police.They are living in Bucuresti-Romania,Apusului St.#48,Bloc 47,Sc.2, Apt.35,Sector 6,with their son CORNELIU GRECU,born on May 15,1946, married with Maria Grecu,born on Oct.19,1952,both electronists,with two children:George-Lucian Grecu,born on May 24,1978,and Alexandru-Cosmin Grecu,born on June 1981.

Mr.and Mrs.Corneliu Grecu also applied for passports to leave Romania for family unification reasons,but they received three negations.

The same situation is with MIHAI GRECU,a structural engineer,born on Sept.30,1955,who received two negations,and also with RAZVAN GRECU,a geologist engineer,born on Oct.1,1943,brother of Mrs.Doina Grecu-Cosimbescu,married with RODICA GRECU,an Accountant,born on July 19,1953, with theirs daughters-ANA GRECU,born on April 15,1975,and MIHAELA GRECU,born on May 1977,all residing in Bucuresti-Romania,at Baba Novac St.#21,Bloc G11,Apt.50,Sector 3,who received five negations for the applications form to leave Romania.

4.-Mrs.GABRIELA IONESCU (maiden name Stamate),born on Aug.4,1958,who is a student at the "Ion Mincu" Institute of Architecture from Bucuresti and applied for family unification with her husband Dan Ionescu, a political refugee residing at 395 Stratford Rd.,Apt.E 2,Brooklyn, N.Y.11218 (tel(212)462-5171 and is working with A.C.Interior Planners Ltd.-43 Park Place,NY.10007,received three refusals of proper forms.

5.-STEFAN ZISSU,a technician constructor,born on May 25,1943,residing at Centurii St.#1,Bloc 16 B,Apt.37,Bucuresti-Romania,with his son IOAN NICOLAE ZISSU,born on Oct.11,1975,in Bucuresti,aplied for family unification with Mrs.NINA ZISSU (maiden name Ferariu)an engineer born on Oct.26,1948 who is a political asylum refugee in the United States residing at 43-10 49-th St.,Apt.1 H,Sunnyside,New York ,NY.11104,but did not yet receive the proper forms for passports to leave Romania.

6.-Marinescu Ilie,a medical assistant and judo trainer,43 years old, with his two minor children-MARINESCU MIRCEA,born on Nov.18,1968.and MARINESCU GABRIELA-CRISTINA,born on Nov.7,1969,residing in Bucuresti-Romania,Calea Grivitei #101,since 1979 asked for applications forms to leave Romania for the United States-being sponsored by me as cousin but received until now eight refusals,because he refused to become an informer of the Security Police of Communist Romanian Party,and Militia Police,in order to act against his own conscience.

In CONCLUSION ,evrything in Romania under the communist regime is disperately,false and ugly,and we strongly express our hopes that the U.S.Congress will not grant anymore the Most Favored Nation's Clause to a tyrranic communist Govennment who murderously undermine the future generation with its Marxist-Leninist education ,atheism and political discrimination.Communism is a cause,not a cure of discrimination,poverty and oppression.

GOD BLESS AMERICA !

Alexandru Bratu

Dr.Alexandru Bratu

PEPSICO
INTERNATIONAL
PURCHASE N Y 10577

July 27, 1983

Honorable John C. Danforth
Chairman
Subcommittee on International Trade
United States Senate
219 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Danforth:

I would like to express PepsiCo's strong support for the President's decision to continue in effect the waiver authority under Section 402 of the 1974 Trade Act to the Socialist Republic of Romania, the Hungarian People's Republic, and the Peoples' Republic of China.

PepsiCo, Inc. is engaged in the sale of consumer products on a world-wide basis. In Eastern Europe, soft drinks constitute our major product. I am responsible for our Company's operations in all Eastern European countries. In that capacity, I am quite familiar with all aspects of our business relationships and, in particular, international trade with the Socialist Republic of Romania and the Hungarian People's Republic and the Peoples' Republic of China.

The primary basis for our trade with Romania and Hungary is Pepsi-Cola, our major product. Our oldest partner in Eastern Europe is Romania where we first introduced Pepsi-Cola in 1967. In Hungary we gained a new business partner when we introduced Pepsi-Cola in 1970. Since then, our operations have continued to grow, and we currently bottle Pepsi-Cola in numerous facilities in both countries.

The basis for our business operations in both Hungary and Romania is a licensing arrangement. Both PepsiCo and the Governments involved view this arrangement as a shared investment in working toward a stable and prosperous economic future. As a result, we have a true partnership with each country which contributes both to the economic growth of that Nation and to building bridges for greater international understanding. Our trade relationships with Romania and Hungary have been based on the grounds of confidence and respect for one another in the commercial arena.

We, at PepsiCo, strongly believe that the mutual respect developed in business relationships greatly contributes to and are an extremely vital means of sustaining open lines of communication and improving cultural and political understanding.

In that context, we are confident that the careful deliberations of this Committee and the continuing dialogue between the United States and the Socialist Republic of Romania regarding the objectives of Section 402 of the Trade Act have been more meaningful as a result of positive economic ties between our two countries. We were gratified by the assurances given by the President of Romania, Mr. Ceausescu, that Romania would not require reimbursement to the State for education costs as a pre-condition to immigration, and that Romania would not create economic or procedural barriers to immigration. In our judgment, that decision is in part a testament to the value of sound trading relations.

Now, let me briefly comment on the conditions of our business relationships in Romania and Hungary. In recent years, concerns have been raised regarding many Eastern European countries' economic stability and ability to meet their commitments. I would like to report to this Committee that those concerns are very real. Both countries are facing, to one degree or another, convertible currency shortages, aggravated by generally depressed conditions within the world economy. Nonetheless, it has been PepsiCo's experience that both Romania and Hungary have been, and continue to be, stable and reliable partners. They are meeting their contractual obligations and together we are looking for avenues to further expand our joint relationships.

We recognize, however, that maintaining Most Favored Nations status is crucial to both the continuing economic stability and the future economic growth of these two Countries. Even though world economic conditions continue to be depressed, international trade is an important component of economic stability and growth.

In closing, I would like to make a final observation. We favor a periodic review of Most Favored Nations status as an important element in ensuring that U.S. businesses engaged in trade with Eastern Europe receive fair and equitable treatment in return for certain considerations extended to our trading partners under the Most Favored Nations status. In addition, we recognize that such reviews afford the opportunity to determine that our trading partners are performing in accordance with all the provisions of the Trade Act including Section 402. Currently the Congress reviews that status on an annual basis.

From the perspective of business planning, however, we feel it would be fitting for the appropriate Committees of Congress to consider whether extending trade benefits for a longer period, i.e. three to five years, would be more productive. Certainly this longer period would afford businesses such as ours greater flexibility in long range planning.

Thank you for allowing us the opportunity to present this statement for the record.

Sincerely yours,

Robert I. Pagnucco (np)

ROBERT I. PAGNUCCO
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Holstein Association

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July 18, 1983

Subcommittee on International Trade
Committee on Finance
United States Senate
Room SD-219 Dirksen Senate Office Building
Washington, D. C. 20510

Re: Hearing on Waivers Under
the Trade Act of 1974
July 29, 1983

Gentlemen:

It has been the consistent policy of this Association to support the granting of Most Favored Nation (MFN) status to the Socialist Republic of Romania, the Hungarian People's Republic and the People's Republic of China since each was extended that trade advantage in 1975, 1978 and 1980 respectively.

Therefore, you are urged to give favorable and unqualified approval to the President's recommendation for a further extension of authority under the Trade Act of 1974 to waive the freedom of emigration requirements under Section 402 (d) (5) of the Act.

Further and specifically, you are urged to give favorable consideration to the President's recommendation for continuation of the waivers applicable to the three nations named above.

This Association is in no position to make an authoritative determination of the emigration policies of these countries. It has confidence, however, in such evaluations by the Administration, including its justification of waivers under the Act.

This Association is thoroughly familiar with the importance and value to the United States from a trade point of view of continuing the MFN status of these countries. It recognizes that trade with Romania is less opportune in the immediate future than with the other two nations, however the MFN status is a strong disciplinary factor in achieving corrective emigration policies which should serve our interests well in the long term.

Obviously, acceptance of this recommendation will not cause the Committee to run afoul of the recent Supreme Court decision on Congressional veto in the Chadha case, thereby giving the Congress additional time to reconcile the "veto" decision should it wish to do so in the case of the Trade Act of 1974.

I am privileged to make this positive statement of position on behalf of the 43,600 dairymen-members of Holstein-Friesian Association of America who are located in 49 of the 50 States.

Your favorable consideration of the President's recommendations which this Association supports with respect to the Socialist Republic of Romania, the Hungarian People's Republic and the People's Republic of China is appreciated.

Sincerely,

Robert H Rumler

Robert H. Rumler
Chairman Emeritus

RHR/pah

NATIONAL FOREIGN TRADE COUNCIL, INC.
100 EAST 42ND STREET, NEW YORK, N.Y. 10017 (2 2) 867-5630

July 20, 1983

Senator John C. Danforth
Chairman
Subcommittee on International Trade
Committee on Finance
U.S. Senate
Washington, D.C. 20510

Dear Mr. Chairman:

The National Foreign Trade Council, whose membership comprises a broad cross section of highly diversified interests engaged in all aspects of international trade and investment, supports the President's recommendation for a further extension of the authority under the Trade Act of 1974 to waive the freedom of emigration requirements, under Section 402 thereof, for the Socialist Republic of Romania, the Hungarian People's Republic and the People's Republic of China.

Our trade relations between Romania, Hungary and China are profitable and mutually beneficial. We believe Romania, Hungary and China have made great strides to open new trade relationships not only with the U.S. but with other Western countries.

Future opportunities seem promising. U.S.-China trade will undoubtedly increase markedly in the near future. Specifically

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in the case of Romania, and to a certain extent of Hungary, the opportunity to earn hard currency by exporting to the U.S. takes on a new significance given the fact that these countries are experiencing difficulties in servicing their debt to U.S. banks and government financial institutions.

The granting of most-favored-nation treatment and the continuation of this policy have, without question, improved the political relations between our country and Romania, Hungary and China.

The National Foreign Trade Council supports the Presidential recommendation and urges that your Committee and the entire Senate agree with the President that the continuation of most-favored-nation treatment to Romania, Hungary and China is in the best economic and political interest of our country.

It is respectfully requested that this statement on behalf of the National Foreign Trade Council be included in the record of the hearings on the President's recommendation to extend the waiver authority for the above-mentioned countries which are to be held by the Subcommittee on International Trade on July 29, 1983.

Sincerely,

Richard W. Roberts
President

ISLAND CREEK COAL COMPANY
2355 HARRODSBURG ROAD
LEXINGTON, KENTUCKY 40575
PHONE: 606/223-[illegible]

ALBERT GORE
CHAIRMAN OF THE BOARD

STATEMENT BY

ISLAND CREEK COAL COMPANY

IN SUPPORT OF

ROMANIAN MOST FAVORED NATION STATUS

JULY 29, 1983

SENATE FINANCE COMMITTEE
THE SUBCOMMITTEE ON INTERNATIONAL TRADE

CONGRESS OF THE UNITED STATES

Trade relations between Island Creek Coal Company and Romania continue to be pleasant, profitable and mutually beneficial. In the course of this business, I have repeatedly visited Romania and several Romanian officials have visited Island Creek Coal Company. Indeed, two citizens and officials of Romania live and work in the United States in connection with our mutual undertaking in the production of coal from a mine in the state of Virginia. These citizens have deported themselves in exemplary fashion in communities in which they live.

I am a member of the Romanian-U.S. Economic Council. From this vantage point, I have observed trade relations between private enterprise companies of the U.S. and Romania. These associations, and these transactions, add to the prosperity of the U.S. and, I believe, contribute to peace and understanding between the people of our country and the people of Romania.

It is a pleasure to again endorse and recommend that Most Favored Nation treatment be accorded to Romania.

Albert Gore
Chairman of the Board
Island Creek Coal Company
Lexington, Kentucky

July 11, 1983

AMERICAN-TRANSYLVANIAN
ASSOCIATION

3708 Macomb Street, N.W.
Washington, D.C. 20016
966-3220

TESTIMONY BY:
Tamas A. deKun
SUBMITTED TO:
The Finance Subcommittee
on
International Trade
United States Senate
July 29, 1983

Good afternoon Mr. Chairman, ladies and gentlemen. It is a pleasure to be here. I would like to thank you for the opportunity to testify on behalf of the American-Transylvanian Association.

Our concern at the Association is the overwhelming importance the President and Congress place on the emigration performance of minorities from the Romanian Socialist Republic. However, the Trade Reform Act of 1975 established the dedication of the United States to the cause of fundamental human rights as the main purpose of the Trade Reform Act. Despite all this, the curtailment of fundamental human rights and cultural freedoms persists in the Socialist Republic of Romania resulting in devastating effects upon the national minorities. Furthermore, the U.S. government seems to dwell on the treatment of 40,000 Jewish minorities, rather than the fate of Europe's largest and most cultured minorities: the 2.5 million Hungarians and 400,000 Saxons.

The systematic genocide of the Transylvanian minorities continues and the dictatorious activities of the Ceausescu government have increased over the last year, (i.e., writers, journalists and intellectuals of Hungarian and Saxon origin are continually arrested and all typewriters in private hands must be registered at state security offices). In previous testimonies before this Subcommittee, we described at length the various atrocities perpetrated; however, we do not wish to waste valuable time in further reiteration.

In my recent conversation with the Chairman of the House Foreign Relations Committee, the Chairman stated, "it is better to have them on our side than on their's (the Russians)." Not even now that the Soviets mainly occupy Poland and Afghanistan is Romania loyal to the West. They actively support Latin American communist countries and organizations. Additionally, Romanian lobbyists very cleverly mislead our politicians. Due to Romania's dictatorship and geopolitical situation, it would be very foolish to count on her loyalty towards the West.

There are approximately thirty-two U.S. firms in Romania. Questions regarding her ability to reimburse loans became a deterrent to trade expansion during 1981-82. Romania's international debt exceedes $11 billion and the government/financial institutions are practically bankrupt. We predicted this fact in 1980 before this Subcommittee. At that time, all U.S. government officials and business executives vehemently opposed our foresight. Their economic situation will not improve due to Romania's rigid Stalinist economic system. Furthermore, if we continue monetary support, we would throw good money after the bad.

Knowing these facts, I ask the Subcommittee why the United States government should consider continuing Most Favored Nation Status for Romania? If the extension is to be granted due to political reasons, it is our opinion that our foreign policymakers understand very little about Romania and Romanians. (Please read the attached short history of Romanian political maneuvering, "Is Romania a Reliable Political Partner for the Western Nations?").

Unless Romania drastically changes her blatant genocide of minorities and revamps her economic system, we strongly urge this Subcommittee to revoke Most Favored Nation Status to the Socialist Republic of Romania.

Additional Testimony for the record, by Tamas A. deKun, American Transylvanian Association

IS RUMANIA A RELIABLE POLITICAL PARTNER FOR THE WESTERN NATIONS?

"Rumanian policy has always rested on the axiom that Rumania must enter wars at a minimum risk, always find a place at peace conferences at the victors' side, so as to extract the greatest advantages at the cost of the smallest sacrifice possible." (Aldo Dami, the great Swiss expert of national minorities' problems.)

To exemplify this statement we would like to mention a few facts about the 20th century:

Rumania extended the Austro-Rumanian Treaty of 1883 for a decade in 1913. Already in 1916 Rumania had joined the Allies which was a stab in the back to her former allies "because she anticipated our victory not for the sake of our just cause... and when she qualified as a disgraceful art of cowardice, she did so for fear of having backed the wrong horse. In November 1918 she sided with us once more, falling into the back of Field Marshall Mackensen's retreating armies, because we were victorious and she was determined to get her share of the booty.... 'What a damned audacity', exclaimed Clemenceau."(Former French Senator Henri Pozzi: Les Coupables, Paris, 1934, pp 95-96).

When the archives of the French Ministry of Foreign Affairs for 1918-1919 were opened in 1972, they shed new startling lights on the Transylvanian affairs that led eventually to the Treaty of Trianon. It became quite evident that Clemenceau had to pay off the Russians at once with Transylvanian territory they coveted, because of the sudden crisis on South Russia where allied troops under French command were being defeated by the Red Army and quick reinforcements were needed from neighboring Rumania. That was the price for the promised Rumanian support of the threatened French force and that military situation was perpetuated and eventually transcribed politically into the Treaty of Trianon in 1919. The sole victor was Rumania, again.

To justify their enormous territorial gains because of the Treaty of Trianon, the Rumanians developed a totally undocumented theory suggesting that they were the descendants of the Dacian-Romans and consequently Transylvania belonged to them by historical rights. We do not want to cite a long list of the most distinguished scientists of this century who rejected that theory, except maybe one, Pierre George, the world renowned professor of the Sorbonne, Paris, and the Institute d'Etudes Politiques de l'Universite de Paris. He wrote: "The theory of the so-called continuity making the Rumanians descendants of the Romanized Dacians was actually abandoned. The gap of a thousand years between the withdrawal of the Romans from Transylavania (3rd century B.C.), and the date of the earliest existing document that accounts of the presence of the Rumanians (so-called Vallachs) in that country, (Charter of Fogaras, in 1222) creates a major difficulty for such assimilation. On the contrary, the archives of the Balkans and the linguistic studies allow us to pursue a slow process of the pastoral Vallach population from the Macedonian and Albananian borders to the Danubian plains between the 10th and 14th centuries. ...The Rumanian language and civilization were formed in the Balkans... The Rumanian nation is the synthetic of nations in Central Europe. They crossed the path of the Hungarians which have the benefit of being the earlier settlers.... From L'Europe Central, pp 239-240, by Pierre George and Jean Tricart, Paris, 1954.

Even Lloyd George, who was one of the leading characters during the discussions of the Treaty, said in 1928: "All the documentation we were furnished with by certain allies during the negotiations with said country were falsehoods and trickeries, we have decided on that." (Henri Pozzi: La Guerre Revient, Paris, 1933, p.303). It makes one think of the terrifying words allegedly pronounced by Frederick II of Prussia: "I grab, I loot, and I steal, thereafter it is up to my lawyers to find the appropriate jusitification."

In the same fashion, Rumania signed a treaty with France and Great Britain in 1939, to secure her frontiers vis-a-vis Hungary. Yet, in the same year she signed a treaty on economic matters with Germany. The German-Soviet non-oppression pact of the same year left Bessarabia in the sphere of interest of the Soviet Union. On June 28, 1940 the Soviet Union occupied Bessarabia and northern Bukovina. The Tatarescu government was helpless, but then renounced the French-British security pact and requested openly that the German Reich secure her frontiers and send military missions to Rumania. On September 1, 1940 General Ian Antonescu demanded that the Rumanian King Carol renounce his power as supreme military commander and invite the extreme-right Iron Guard into the government.

Mass demonstrations against the King turned the situation into a crisis. They protested the decision of the "Second Vienna Award", an arbitration that the Rumanian government requested. The decision returned northern Transylvania to Hungary again where it belonged for 1000 years, except for the 20 years after the Treaty of Trianon. ("Hungary's right to Transylvania is much more justified, than is France's claim to Alsace-Lorraine." Aldo Dami, La Hongrie de Demain, Paris, 1932, pp 95-96. The latter's population is 80% Germanic and belonged to France for only 250 years; whereas Transylvania belonged to Hungary for 1000 years). King Carol renounced his throne in favor of his son and left the country. Antonescu became head of state (conducatur statuli) and formed a coaltion government with the Iron Guard. The Guard committed enormous atrocities, killed 64 political antagonists, among them the famous historian Nicloae Jorga. Antonescu visited Hitler on November 23, 1940 and joined the Axis Powers. The next year Hitler promised to reward Rumania with Transylvania. Rumania took part in the military operations against the Soviet Union. Then in 1943 she began secret negotiations with the Allies again. The following year Hitler told Antonescu that the Hungarians lost any claim for Transylvania because of their neutral attitude, but asked Antonescu not to talk about it. On August 23, 1944 the Soviet troops encircled the Rumanian-German forces. The King arrested Antonescu and handed him to the Communist party. On August 25, 1944 Rumania declared war on Germany.

What is the current status? Rumania is widely considered by western nations as a reliable party and one which can be turned away from the Communist block. This is wishful thinking. As in 1956, when the entire free world showed its sympathy toward Hungary's new tragic drama, Rumania ordered mass arrests in Transylvania and hundreds were put to death. In one trial alone in Cluj, thirteen out of fifty-seven accused were executed. (George Bradley, American Journalist, the Reporter of November 1964). Contrary to the western nations, Rumania did not even want to take a neutral attitude but competed with the Soviet terror. When Rumania senses the weakness of the western powers, she turns to the other side.

Currently, the western world must cope with several dangerous crisis in Central America, the Middle East, Poland and Afghanistan. The entire free world's future is at stake. If Rumania is true to her past tradition, she will make promises to the West to gain her interests and later renege, once the West has conceeded.

STATEMENT of Dr DIMITRIE G. APOSTOLIU,President of " THE AMERICAN-ROMANIAN NATIONAL COMMITTEE FOR HUMAN RIGHTS"spokesman of HUNGER STRIKERS
before
U.S SENATE COMMITTEE ON FINANCE
US SENATE SUBCOMMITTEE ON INTERNATIONAL TRADE.

HONORABLE Mr CHAIRMAN,
HONORABLE U.S SENATORS, MEMBERS OF THE COMMITTEE,

TERRORIST PRESIDENT NICOLAE CEAUSESCU, a former apprentice shoemaker, YURI ANDRPOV's hitman,traitor of ROMANIAN people who sold again to USSR the ROMANIAN provinces BASARABIA and Northen BUCOVINA, in CRIMEIA,USSR on 1976,-

-FORCED US, AMERICAN CITIZENS AND RESIDENTS by ROMANIAN descents, to start" THE FIFTEENTH ROMANIAN HUNGER STRIKE FOR FORCED SEPARATED FAMILIES REUNION in THE USA and for THE RESTORATION OF HUMAN RIGHTS and ofFREEDOM of RELIGION in COMMUNIST ROMANIA".-

We started this HUNGER STRIKE- the fifteenth one since SEPTEMBER 1,1974 to date- because of TERRORIST NICOLAE CEAUSESCU and of his COMMUNIST GOVERNMENT:

- PERMANENT AND FLAGRANT VIOLATIONS OF:

1.- THE UNIVERSAL DECLARATION OF HUMAN RIGHTS of THE U.N. and of all UN's resolutions concerning HUMAN RIGHTS and FORCED SEPARATED FAMILIES REUNION.

2.- BASKET THREE OF HELSINKI AGREEMENT.-

3.- THE CONDITION OF " EASING THE EMIGRATION FROM COMMUNIST ROMANIA" condition with which TERORIST CEAUSESCU, personal agreed with the USA upon THE TRADE AGREEMENT and " THE M.F.N" , year by year, since 1975 to date, 1983, therefore 8 ful years!

- THE FUL SUPPORT OF INTERNATIONAL TERRORISM BY TERRORIST CEAUSESCU AND HIS COMMUNIST GOVERNMENT, WHO ARE SUPPLYING COMMUNIST GUERRILLAS ALL OVER THE WORLD WITH:MILITARY TRAINING DONE BY ROMANIAN OFFICERS AND BY HSSR's KGB ONES, EITHER: ON ROMANIAN SOIL AND IN FOREIGN COUNTRIES AS ANGOLA AND SO ON, - BY SUPPLYING COMMUNIST GUERILLAS WITH WEAPONS AND AMMUNITIONS AND WITH FOOD AND MILITARY EQUIPMENT TRANSPORTED OVERSEAS BY ROMANIAN MERCHANT AIRLINE " TAROM" AND BY ROMANIAN MERCHANT SHIPS,OF COURSE, IN A CONSPYRATORY WAYS BY ELUDED THE CUSTOMS...

- BY A CHAINE OF TERROR IN FOREIGN COUNTRIES, INCLUDING THE U.S.A. THE ROMANIAN OFFICIALS OF ROMANIAN EMBASSY WHO IN FACT ARE USSR's KGB UNDERCOVER AGENTS AND HITMEN,- DRUGGED, KIDNAPPED AND TOOK BY FORCE BACK TO COMMUNIST ROMANIA ROMANIAN REFUGEES BY PUTING THEM ABOARD ROMANIAN MERCHANT AIRLINE " TAROM":in NEW YORK CITY,IN WESTERN EUROPE,AND ALL OVER THE WORLD WHERE THERE ARE FLIGHTS OF " TAROM" OR WHERE ROMANIAN MERCHANT SHIPS ARE ASILING.

DO YOU HAVE ON YOUR DESK, HONORABLE U.S. SENATORS CLIPS FROM AMERICAN NEWSPAPERS WITH REPORTS ABOUT. NOT BY SOMEBODY WHO HEAR ABOUT BY SOMEBODY NOT ONLY BY " EYES WITNESS" BUT EVEN BY THOSE WHO FORCED BY SECURITY, DID TRANSPORTED WEAPONS AND AMMUNITIONS TO COMMUNIST GUERRILLAS, TOOK BACK TO COMMUNIST ROMANIA ,ROMANIAN REFUGEES DRUGGED AND KIDNAPPED BY ROMANIAN EMBASSYES' OFFICIALS AND TOOK TO SAFETY TO COMMUNIST ROMANIA COMMUNIST TERRORISTS WHO BOMBED AND KILLED INNOCENT PEOPLE IN WESTERN EUROPE!

- TERRORIST NICOLAE CEAUSESCU's HITMEN-I M AN THE ROMANIAN OFFICIALS FROM ROMANIAN EMBASIESAND THEIR UNDERCOVER AGENTS-KILLED AND TRIED TO KILL EVEN IN NEW YORK CITY,ROMANIAN EXILEES!
MAYBE TOMOROW THEY WILL ATTEMPT TO KILL YOU, HONORABLE U.S SENATORS, BECAUSE,DO YOU ARE DETERMINED DEFENDERS OF HUMAN RIGHTS ALL OVER THE WORLD AND BECAUSE YOU ARE FIGHTYING THE INTERNATIONAL TERRORISM, THEREFORE YOU ARE FIGHTING TOO TERRORIST CEAUSECU AND HIS CLIQUE OF KILLERS MURDERES ,ASSASINS, USSR's K.G.B. AGENTS!...

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FOR ALL THE ABOVE MENTIONED CRIMES AGAINST HUMANITY OF TERRORIST NICOLAE CEAUSESCU AND HIS COMMUNIST GOVERNMENT INCLUDED THE ROMANIAN EMBASSIES OFFICIALS,-
-In my name and in the name of HUNGER STRIKERS,I am asking that:
THE U.S SENATE DO NOT GRANT ANYMORE " THE MOST FAVORED NATION's CLAUSE" status to TERRORIST NICOLAE CEAUSESCU AND HIS COMMUNIST GOVERNMENT
- UNTIL THERE WILL BE ENTIRELY ACCOMPLISHED:

" THE TEN POINTS OF HUNGER STRIKERS"

1.- The immediate release of our HOSTAGE RELATIVES!
2.- THERE WILL BE ISSUED IN COMMUNIST ROMANIA "GENERAL AMNESTY FOR POLITICAL PRISONERS AND FOR BRISONERS OF CONSCIENCE!
3.-THERE WILL BE RELEASE FROM POLITICAL JAIL Prof. Dr. REVEREND GHEORGHE CALCIU DUMITRESA and there will be issued his passport!
4.-There will be release from the terrible political jail " GHERLA" VASILE PREDA, one of the founders in 1978 of " THE FREE TRADE UNION OF ROMANIAN WORKERS"-S.L.O.M.R." in-ROMANIAN spelling- and there will be issued his passport in order to join in NEW YORK CITY his parents and his other three brothers!
5- There will be issued the passports to other two founders of " THE FREE TRADE UNION OF ROMANIAN WORKERS"-"S.L.O.M.R."-Dr BRASOVEANU and Dr CANA!
6.-" THE FREE TRADE UNION OF ROMANIAN WORKERS"-"S.L.O.M.R."-will be registered with ROMANIAN DEPARTMENT of JUSTICE"in order to act legally in behalf of his members,-as POLAND's "SOLIDARITY" did!
7.-There will be abolished the punishement with confinement to PSYCHIATRIC HOSPITALS,FORCED LABOR CAMPS, FORCED RESIDENCE, AND FORCED LABOR WITHOUT PAYMENT AT THE PALCE OF WORK FOR POLITICAL PRISONERS AND PRISONERS OF CONSCIENCE!
8.-The years served by POLITICAL PRISONERS and by PRISONERS of CONSCIEN in POLITICAL JAILS, PSYCHIATRIC HOSPITALS, FORCED LABOR CAMPS AND FORCE RESIDENCE-will be taken into the amount of pensions and retirement plans as " YEARS SERVED IN THE FIELD OF WORK"- for former POLITICAL PRISONERS and PRISONERS OF CONSCIENCE, and - in the case of the decease of the individual prisoner,- in the plans of pensions for widowed wives and or for orphaned children!
9.-The exilees whose private properties,I mean private homes,were nationalised or forced taken out even by a forced sales action - by COMMUNIST ROMANIAN GOVERNMENT-to receive damages for the value of the house,at US real estae's prices, in U.S. DOLLARS!
10.- There will be closed down all COMMUNIST ROMANIA's MILITARY CAMPS FOR TRAINING IN ESPIONAGE ON U.S. TERRITORY AND IN GUERRILAS WARFARE, FOR COMMUNIST GUERRILLAS, EITHER:THE ONES ON ROMANIA's TERRITORY AND THE ONES OF OVERSEAS AS THE ROMANIAN MILITARY ACADEMY OF FLIGHT OF ANGOLA,AND TERRORIST NICOLAE CEAUSESCU AND HIS COMMUNIST GOVERNMENT WILL STOP ONCE FOR EVER THE INTERNATIONAL SUPPORT OF TERRORISM,AND ROMANIAN EMBASSIES OFFICIALS WILL STOP TO KIDNAPP, TO DRUGG ,,TO TAKE BACK TO COMMUNIST ROMANIA BY FORCE- ROMANIAN EXILEES, AND WILL STOP

TO TRY TO KILL , TO ASSASINATE, TO MURDER, THE ROMANIAN EXILEES.IN THE U,S.A AND ALL OVER THE FREE WORLD!

Honorable Mr Chairman,
Honorable U.S. Senators, members of The Committee,

Do You have on your desk, the list of HUNGER STRIKERS and of their relatives HOSTAGES in COMMUNIST ROMANIA,

The Universal Declaration Of HUMAN RIGHTS of The U.N. provide:
Art. 13.-
2.- Everyone has the right to leave any country including his own and to return to his country".

Terrorist President NICOLAE CEAUSESCU and his COMMUNIST GOVERNMENT denied their right to BE REUNITED WITH THEIR FAMILIES, over here in The USA.-by VIOLATING THIS PROVISION of THE UNIVERSAL DECLARATION OF HUMAN RIGHTS of The UN, and the ones of BASKET THREE of HELSINKI AGREEMENT.

Since COMMUNIST ROMANIA was granted first time " THE M.F.N" status by US CONGRESS on 1975-Terrorist CEAUSESCU committed himself to try to find out ways and means of " EASING THE EMIGRATION FROM COMMUNIST ROMANIA"

Let see how did he" THE EASING OF EMIGRATION FROM COMMUNIST ROMANIA" on his " COMMUNIST WAY"

1.- When after the first POLITICAL AMNESTY in COMMUNIST ROMANIA on PARIL 1974 was founded on GRADINA CU CAI(THE GARDEN WITH HORSES) in BUCHAREST THE OFFICE OF VISAS AND PASSPORTS,

- The one who would be emigrant had to file out ONE SINGLE APPLICATION. After 30 days he had to receive the answer: application approved or denied.If denied, he had the right to contest the denial and after other 30 days, had to receive the answer. THAT WAS ALL!
- After granted by US CONGRESS with"THE M.F.N" in 1975, TERRORIST CEAUSESCU committed himself year by year,in 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982 and even now in 1983- to " THE EASYNG OF EMIGRATION" from COMMUNIST ROMANIA.

THE RESULT:
IF SOMEONE APPLY FOR EMIGRATION, HAS TO PASS OVER " ONLY" 16 STEPS! INSTEAD " THE ONLY ONE APPLICATION IN 1974!

And if you fail or if you are tour down to one of this steps- say to the 15 ones- do you have to start again with the first one! And from a step to other one there are several months to pass!..

Recentely, Terrorist Ceausescu discover other " improvement" in his way of " EASYNG THE EMIGRATION:

The young " Would be Emigrants" are drafted with MILITARY FORCED LABOR UNIT, and them selves and their other relatives who " would be emigrant have to wayt " only" TWO MORE YEARS TILL THE FORCED LABOR TERM WITH THA MILITARY UNIT WILL BE ACCOMPLISHED. And then to pass again from the begining through those 16 STEPS"

This happened now, on 1983 to three youth champions of sport, with ROMANIAN NATINAL TEAM of different field of sports activities: MIHAI LUTA, MARIN TOMA AND PAUL STAICU, all of them NATIONAL CHAMPIONS AND ALL OF THEM OF BUCHAREST.Do you have the written statements of their AMERICAN relatives, in HUNGER STRIKE now, in their EMIGRATION's behalf.-

- The new improvement on the way of " EASING THE EMIGRATION FROM COMMUNIST ROMANIA" are:

1.- The SECURITY is HARASSYING PERMANENTELY THEM. THEY ARE THREATENED WITH CONFINEMENT TO PSYCHIATRIC HOSPITAL.-
2.- THEY ARE LAYD OFF FROM THEIR JOBS AND THEN, AT PLACE PROSECUTED AND CONVICTED FOR" PARASITISM"

3.- They are removed from their residence.-
4.- They are interviewed under hard pressure by SECURITY all over the night and the next day's morning they have to report to their place of work!...
5.- All their mail with THE USA is cut off!
6.- Their phone calls with THE USA are censored!
7.- They are forced by SECURITY to call by phone (from SECURITY's Headquarter)their relatives from over here and to READ TO THEM WHAT THE SECURITY's INVESTIHGATOR WRITE DOWN ON THE PAPER!
8.- They are attacued by SECURITY's hitmen on their way from home to workand hard beaten over the head.-
9.- The SECURITY is trying to force those married ones to divorce their spouse from the FREE WORLD.-
10.- The kids who are students, are forbiden to talk to their classmates
HOW DO YOU SEE, HONORABLE SENATORS THERE ARE REALY " IMPROVEMENT" BY TERRORIST NICOLAE CEAUSESCU IN THE MATTER OF " EASING THE EMIGRATION FROM COMMUNIST ROMANIA"...

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For this " improvements" in FORCED SEPARATED FAMILIES REUNION's matter, " improvements" by TERRORIST C AUSESCU.-
-I AM ASKING THE U.S SENATE TO STOP RIGHT NOW THE MOST FAVORED NATION's CLAUSE " status TO TERRORIST CEAUSEŞCU AND HIS COMMUNIST GOVERNMENT!

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LET SEE HOW THERE ARE THE OTHER " HUMAN RIGHTS" in COMMUNIST ROMANIA
1.- THE RIGHT OF FREE ASSEMBLY .

In COMMUNIST ROMANIA there is ONLY A SINGLE POLITICAL APRTY: THE COMMUNIST ONE!
All other POLITICAL PARTIES were abolished by COMMUNISTS on JULY 14,1947. The memebers of THE NATIONAL PEASANT PARTY IULIU-MANIU,were arrested, torrtured, send to serve POLITICAL JAIL TERMS,send to FORCED LABOR CAMPS and then confined to FORCED RESIDENCE, by hundred of tausends:the leaders - my self included as leader of THE YOUTH ORGANISATION OF THE PARTY AND DEPUTY CHIEF EDITOR WITH " DREPTATEA"(" THE JUSTICE") THE CENTRAL NEWSPAPER OF THE NATIONAL PEASANT PARTY IULIU MANIU -and rank and file members were arrested, torrtured ,prosecuted and convicted too.-
NOW TERRORIST CEAUSESCU ORDERED A NEW WAVE OF TERROR AGAINST FORMER MEMBER OF POLITICAL PARTIES ABOLISHED BY COMMUNISTS IN 1947
PEOPLE WHO SERVED YEARS AND YEARS OF POLITICAL JAIL TERMS, ARE AGAIN ARRESTED, TORRTURED, PROSECUTED, CONVICTED TO TEN OF YEARS OF POLITICAL JAILS,CONFINED TO PSYCHIATRIC HOSPITALS , FORCED LABOR CAMPS , AND GIVEN FORCED RESIDENCE.
THERE ARE THE CASES OF: Dr CORNELIU COPOSU, former DEPUTY GENERAL SECRETA of THE NATIONAL PEASANT PARTY IULIU MANIU- who served more than 18 years POLITICAL JAIL, WAS AGAIN ARRESTED AND TORRTURED BY SECURITY AND GIVEN FORCED RESIDENCE.-
Dr Eng. IOAN PUIU, former leader of THE YOUTH ORGANISATION OF THE NATIONA PEASANT PARTY IULIU MANIU,a scholar in computer field, WAS AGAIN ARRESTED AND TORRTURED BY SECURITY AND GIVEN FORCED RESIDENCE(BOTH OF THEM ARE FROM BUCHAREST)
AND THERE ARE TOO SEVERAL TAUSENDS OF CASES!... -6-
- SEVERAL TAUSENDS OF RANK AND FILE MEMBERS OF " THE FREE TRADE UNION OF ROMANIAN WORKERS" SLOMR" - - the one abolished by COMMUNISTS on 1978, were again arrested, torrtured, confined to Psychiatric Hospitals, prosecuted, convicted to POLITICAL JAIL TERMS, send to FORCED LABOR CAMPS and given FORCED RESIDENCE.-
- The same things happened to former and new PRISONERS OF CONSCIENCE... TERRORIST CEAUSESCU's CRIMES OVER CRIMES!...

2.- FREEDOM OF PRESS AND COMMUNICATION

There is only a single kind of press in COMMUNIST ROMANIA: THE COMMUNIST ONE, MONITORED BY THE DEPARTMENT OF PROPAGANDA AND AGITATION of THE CENTRAL COMMITTEE OF COMMUNIST PARTY and by THE SAME DEPARTMENT OF EACH DISTRICT, CITY AND TOWN OF COMMUNIST PARTY, ALL OVER THE COUNTRY.-

- There is any single newspaper,revue, magazine or TV channel or Radio Station which criticise the COMMUNIST PARTY's POLICY!

THE ENTIRE PRESS AND MASS MEDIA AND COMMUNICATIONS ARE UNDER STRICTELY SUPERVISION OF THE CENTRAL COMMITTEE OF COMMUNIST PARTY.-

3.- FREEDOM OF ARTS AND EXPRESSION

THE SAME DEPARTMENT OF " PROPAGANDA AND AGITATION" OF THE COMMUNIST PARTY ARE MONITORYING THE PROCESS OF CREATION OF EACH INDIVIDUAL WRITER, POET , ARTIST.-

THER IS NO WAY TO STEP.OUT FROM " PARTY8s LINE!...

-The CRIMINAL CODE"(CALLED PENAL CODE" in ROMANIAN JUDICIAL TERM) provide terms of POLITICAL JAIL for " ANY UNPUBLISHABLE MANUSCRIPT FOUND OUT ON A WRITER OR POET DESK AND FOR " ANY WORK OF ART WHICH IS NOT " IN THE SPIRIT OF THE WORKING CLASS AND OF THE FRIENDSHIP AND TOTAL COOPERATION WITH USSR AND COMMUNIST BLOCK COUNTRIES"!

- THERE IS ANY PRIVATE PUBLISHING HOUSE in COMMUNIST ROMANIA.-

- THE UNION OF ROMANIAN WRITERS, THE ONE OF ROMANIAN COMPOSERS, THE ONE OF ROMANIAN ARTISTS AND THE ONE OF ROMANIAN JOURNALISTS ARE UNDER THE STRICT CONTROL AND CENSORSHIP OF " PROPAGANDA AND AGITATION DEPARTMENT" of THE CENTRAL COMMITTEE OF COMMUNIST PARTY.-

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TERRORIST NICOLAE CEAUSESCU's FUL SUPPORT OF INTERNATIONAL TERRORISM

Honorable U.S. Senators,

Do YOU have on YOUR desk reports of AMERICAN NEWSPAPERS contending interviews with two former 15 years PILOTS in COMMAND with ROMANIAN merchant airline " TAROM" and a flight attendand for more than 10 years with " TAROM" too.

They reported about CEAUSECU's FUL SUPPORT on INTERNATIONAL TERRORISM not as the ones who hearded about what happened from other ones, but as THE ONES WHO THEM SELVES, FORCED BY SECURITY:

1.- TRANSPORTED BY PLANE WEAPONS AND AMMUNITIONS TO TERRORIST GUERILLAS.

2.- TRANSPORTED BY " TAROM"'s PLANES COMMUNIST GUERRILLAS FROM AFRICA TO COMMUNIST ROMANIA WHERE THEY RECEIVED MILITARY TRAINING AND THEN WHERE FLEED BACK TO AFRICA.-

3.- TRANSPORTED BY " TAROM"'s AIRPLANES TERRORISTS WHO DID CRIMINAL ACTS IN WESTERN EUROPE,KILLING INNOCENT PEOPLE, WOMEN, KIDS, SENIOR CITIZENS LEADERS OF ANTI-COMMUNIST PARTIES.THEY BOMBED PUBLIC PLACES,THEY ASSASINATED POLITICAL LEADERS(AS THE LATE ITALIAN PREMIER ALDO MORO)

AFTER THEY KILLED INNOCENT HUMAN BEINGS, THE ROMANIAN CONSULS FROM WESTERN EUROPE BROUGHT THEM BY DIPLOMATIC CARS WHO ARE NOT INSPECTED BY CUSTOM OFFICIALS,-DIRECTELY TO " TAROM" AIRPLANES TO BE TAKED OUT TO SAFETY IN COMMUNIST ROMANIA!

4.-TRANSPORTED BACK TO COMMUNIST ROMANIA POLITICAL REFUSEES DRUGGED AND KIDNAPPED BY ROMANIAN EMBASSIES OFFICIALS AND THEN BROUGHT WITH CARS WITH DIPLOMATIC PLATES DIRECTELY TO " TAROM"'s AIRPLANES SEVERAL MINUTES BEFORE TAKE OFF TO BE TAKEN BY FORCE BACK TO COMMUNIST ROMANIA.

- THIS KIDNAPPYINGS HAPPENED ALL OVER THE WORLD WHERE " TAROM"s AIRPLANE USE TO FLY...

TERRORIST CEAUSESCU's HITMEN CRIMES ON U.S. TERRITORY

- Mr GEORGE HIRSOVESCU, former PILOT IN COMMAND for 15 years with ROMANIAN merchant airline " TAROM" during his HUNGER STRIKE in front of U.N's HEADQUARTER in NEW YORK CITY, was interviewed by AMERICAN and FOREIGN PRESS.Proving with his airplane " FLIGHT BOOK" in which there are recorded all the flights with the seals of all airports where the plane landed or take off-THAT HE TRANSPORTED WEAPONS AND AMMUNITIONS TO COMMUNIST GUERILLAS, THAT HE TOOK FOR SAFETY TO COMMUNIST ROMANIA TERRORISTS WHO DID CRIMES IN WESTERN EUROPE AND THAT HE TRANSPORTED BACK TO COMMUNIST ROMANIA ROMANIAN REFUGEES DRUGGED AND KIDNAPPED BY ROMANIAN CONSULS.

Mr GEORGE HIRSOVESCU DID TOO DETAILS ON MILITARY CAMPS FOR TERRORISTS ON ROMANIAN SOIL AND ABOUT THE ROMANIAN MILITARY ACADEMY OF FLIGHT OF ANGOLA, WHERE ANGOLAN COMMUNIST ARE RECEIVING TRAINING AS MILITARY PILOTS- BY ROMANIAN MILITARY PILOTS-THE ACADEMY BEING COMMANDED BY GENERAL MAYOR AUREL NICOLESCU, THE SECRETARY OF ROMANIAN AIRFORCES.-

-HIS STATEMENTS WERE PRINTED IN THE NEW YORKER's daily NEWSPAPER " THE NEWS WORLD ofJANUARY 10,1983 AND THEN AIRED BY NATIONAL AND INTERNATIONAL RADIO S STATIONS AND BY TV CHANNELS ALL OVER THE WORLD INCLUDED THE BROADCAST OF RADIO FREE EUROPE DIRECTELY TO COMMUNIST **ROMANIA**, BY ROMANIAN SERVICE OF RADIO FREE EUROPE OF MUNCHEN,WEST GERMANY.

TERRORIST NICOLAE CEAUSESCU IN RETALIATION WANTED TO HAVE Mr GEORGE HIRSOVESCU KILLED BY HIS HITMEN!

FACTS:

New York City, Saturday, March 12,1983

Mr GEORGE HIRSOVESCU IS ATTAQUED BY A HITMAN ON A STREET IN EAST SIDE. THE HITMAN APPROACHED Mr GEORGE HIRSOVESCU's MERCEDES car and knoked smiling on car's window. Mr GEORGE HIRSOVESCU opened the window of the car. SUDDENLY THE CRIMINAL ATTAQUED mr HIRSOVESCU WITH A SPECIAL METALIC DEVISE.THEN, HE OPENED CAR's DOOR AND THERE WAS A FIGHT BETWEEN THEM. HIT MANY TIMES OVER THE HEAD WITH THE METALIC DEVISE BY THE PROFESSIONAL HITMAN, NAMED " KENT" Mr HIRSOVESCU BECAME UNCONSCIOUSA AND FALL DOWN O THE SIDEWALK. THE HIT MAN JUMP OVER HIM AND TRY TO KILL HIM....

BY HAZARD, TWO TAXICAB DRIVERS, SAW WHAT IS HAPPENYING. ...

THE HITMAN JUMP IN HIS TAXICAB AND RUN BUT THE TAXICABDRIVERS RADIOED THE POLICE. A CHASE STARTED . FINALLY THE HITMAN CAR WAS CORNERED BY POLICE. AND THE HITMAN WAS ARRESTED...

THE CRIMINAL PROCEEDINGS ARE GOING ON WITH THE CRIMINAL COURT OF MANHATTAN, NEW YORK... ***

Because myself I advised Mr GEORGE HIRSOVESCU to PROOVE TO AMERICAN AND INTERNATIONAL PRESS AND MASS MEDIA HOW TERRORIST CEAUSESCU IS SUPPORTYI THE INTERNATIONAL TERRORISM, TERRORIST NICOLAE CEAUSESCU WANTED ME KILLED TOO.-

AND " THE SPECIAL MISSION WAS ASSIGNED TO AND ALLEGED OFFICER WITH ROMANIAN SECURITY DISINFORMATION DEPARTMENT-UNDERCOVER SECRET AGENTS WHO USE TO KILL THE ROMANIAN REFUGEES AND TO SPY ON FREE COUNTRIES,AND TO REPORT THEIR MISSION DIRECTELY TO THE LOCAL " K.G.B." RESIDENT.

THIS RUSSIAN SPY, CAME TO THE USA AS A " REFUGEE" FROM ROMANIA, VIA PARIS, FRANCE.HE INFILTRATED EITHER: A DEMOCRATIC CLUB AND THE REPUBLIC CONSERVATIVE ONE!...AND BEING THE ONE SKILLED SPY AND HIT MAN, WAS GOING ON WITH HIS DIRTY PROFESSION,...

HIS NAME : LUCIAN ORASEL. A NEW YORK CITY RESIDENT.

Profession: " K.G.B" spy.Place of assignement: USA TERRITORY.-

FACTS:

NEW YORK CITY.March 20,1983.THE SAINT DUMITRU ROMANIAN ORTHODOX CHURCH OF ROMANIAN ANTI-COMMUNIST EXILE:50WEST,89th St, NEW YORK,NY 10024

The SUNDAY morning religious service. 11:00 A.M.

The undercover SECURITY's AGENT LUCIAN ORASEL, ATTAQUE Dr DIMITRIE G. APOSTOLIU in the CHURCH when his victim was lighting a candel,.He grabed him from behind by neck and push him over about 100 lighting candels, shoutying:TODAY I WILL KILL YOU. TO ESCAPE, THERE IS NO WAY!...

Dr APOSTOLIU tear himself away, succeded to escape from his attaquer and tried to go stright ahead, to the communion table. BUT OTHER UNDERCOVER ROMANIAN SECURITY's AGENTS who came together LUCIAN ORASEL, barred his way APOSTOLIU turn back and step out from the church to the entrance of, where there is a little room where are sold the candels and bibles and so on.

LUCIAN ORASEL FELLOWED HIM ,BUT APOSTOLIU DEFENDED HIM SELF AND ESCAPE. HE WENT UPSTAIRS TO CHURCHE's office and called the District Attorney and the POLICE. LUCIAN ORASEL comeback into the church and watched the door. When the POLICE car arrived, APOSTOLIU step out from the church . LUCIAN ORASEL fellowed him outsidx, on the street, where...HE WAS GRABED BY THE P POLICE OFFICERS...

THE LEGAL PROCEEDINGS ARE GOING ON WITH THE CRIMINAL COURT OF MANHATTAN, NEW YORK.-

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The attempted murder against GEORGE HIRSOVESCU and APOSTOLIU did not discourage NOBODY FROM AMERICAN FREEDOM FIGHTERS BY ROMANIAN DESCENTS!

Mr GEORGE HIRSOVESCU, DID A NEW INTERVIEW WHEN HIS HOSTAGE WIFE AND DAUGHTER ARRIVED IN NEW YORK BEING RELEASE AS THE RESULT OF HIS HUNGER STRIKE. THE INTERVIEW WAS PRINTED IN THE NEWYORK's daily newspaper THE NEW YORK TRIBUNE" ofWEDNESDAY JUNE 1,1983.He was joined by his colleagues Mr GEORGE SORESCU and Mrs IOANA SORESCU, GEORGE SORESCU being a former PILOT in COMMAND iwth " TAROM" for 15 years and his wife Mrs IOANA SORESCU, a flight attendand.All three of them gave new detailes about TERRORIST NICOLAE CEAUSESCU's FUL SUPPORT OF INTERNATIONAL TERRORISM and about THE CRIMES AGAINST HUMANITY OF HIS HITMEN, AGAINST ROMANIAN REFUGEES...

ABOUT MYSELF, I HAVE TO POINT OUT TO ROMANIAN OFFICIALS FROM ROMANIAN EMBASSY TO WASHINGTON D.C.-DIRTY RUSSIAN SPIES AND HITMEN WHO DARED TO ATTEND THIS US SENATE HEARING BEING OVER THERE IN THAT PLACE:OVER HERE, THERE IS THE UNITED STATES OF AMERICA!YOURS ATTEMPTS TO KILL Mr GEORGE HIRSOVESCU FAILED AND YOURS UNDERCOVER AGENTS"KENT" and LUCIAN ORASEL WILL RECEIVE WHAT THEY DESERVE FROM AMERICAN JUSTICE!

AND THE FREEDOM FIGHTERS WILL CONTINUE THEIR FIGHT FOR HUMAN RIGHTS ALL OVER THE WORLD . TILL YOU AND ALL RUSSIAN SPIES AND COMMUNIST TERRORISTS WILL BE PUT WHERE THEY DESERVE TO BE:BEHIND BARES!...

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- On DECEMBER 6,1982 A ROMANIAN CONSUL FROM WASHINGTON D.C.and Mr MORARU, the manager of " TAROM" office of NEW YORK CITYand the son of GENERAL MAYO OF SECURITY MORARU, COMMUNIST ROMANIA's AMBASSADOR TO ANGOLA,- KIDNAPPED A ROMANIAN REFUGEE, AN ARTIST ABOUT 50 YEARS OLD, DRUGGED HIM AND THEN BROUGHT HIM BY A CAR WITH DIPLOMATIC PLATES DIRECTELY TO "TAROM" AIRPLANE ON KENNEDY AIRPORT AND CONFINED HIM TO " THE EAGLES"THOSE FOUR COLONELS OF SECURITY WHO ARE USUALY UNDERCOVER ABOARD ANY " TAROM" FLIGHT TO THE USA, TO BE TAKEN BY FORCE, BACK TO COMMUNIST ROMANIA.

WHEN THE PLANE LANDED TO OTOPENI AIRPORT IN BUCHAREST ROMANIA, A SECURITY.'s CAR WAS WAYTING FOR.THE SECURITY's OFFICERS JUMPED FROM THE CAR AND STARTED TO HIT THE POOR KIDNAPPED OVER THE HEAD WITH RUBBER STICKS, NO MATTER THAT ALL THE PASSENGER WERE LOOKING AFRAIDS AT!...

- THE EYES WITNESS REPORTED WHAT HAPPENED TO THE AMERICAN AUTHORITIES. BECAUSE THE" K.G.B"'s HITMEN - I MEAN ROMANIAN EMBASSY OFFICIALS ARE IN THIS ROOM AND ARE LISTENING AT-FOR THE SECURITY OF THAT " EYES WITNESS" I WILL SUBMIT TO YOU, HONORABLE U.S. SENATORS " THE EYES WITNESS" 's COPY OF APPLICATION FOR POLITICAL ASYLUM ON WHICH AT ITEM# 44 PAGE FOUR YOU WILL FIND OUT THE REPORT OF ROMANIAN EMBASSY's CONSUL AND OF Mr. MORARU CRIME PERPETRATED ON DECEMBER 6,1983 ON J.F.KENNEDY AIRPORT IN NEW YORK.-

I AM ASKING THAT " EYES WITNESS" NAME TO BE KEPT SECRET,OTHERWISE ROMANIAN EMBASSY OFFICIALS, PRESENTS OVER HERE,WILL HAVE THE OPPORTUNITY TO KILL OUR EYES WITNESS.AS DIRTY RUSSIAN SPIES, KILLERS,MURDERERS,ASSASINS

- I AM ASKING THAT ROMANIAN CONSUL OF WASHINGTON D.C ROMANIAN EMBASSY AND THE HITMAN AND RUSSIAN SPY MORARU,. MANAGER OF " TAROM" OFFICE OF NEW YORK CITY TO BE ARRESTED AT PLACE FOR " TERRORIT ACTS, FOR ATTEMPTED MURDER, FOR KIDNAPP AT GUN POINT,

PLEASE, HONORABLE U.S SENATORS DO THAT BEFORE THEY WILL TRY TO ESCAPE BY FLYING FROM AMERICAN JUSTICE!

AS DID THE BULGARIANS WHO MONITORED TOGETHER ." KG.B" AGENTS THE ASSASINATION ATTEMPT OF HIS HOLINESS POPE JOHN PAUL THE SECOND!

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FOR ALL THE ABOVE REPORTED " CRIMES AGAINST HUMANITY, VIOLATION OF EACH EXISSTENT INTERNATIONAL AGREEMENT ON HUMAN RIGHTS AND FORCED SEPARATED FAMILIES REUNION, FOR THE FUL SUPPORT OF INTERNATIONAL TERRORISM AND FOR TERRORIST ACTS ON US TERROTORY PERPETRATED BY TERRORIST PRESIDENT NICOLAE CEAUSESCU AND HIS COMMUNIST GOVERNMENT INCLUDED ROMANIAN OFFICIALS FROM ROMANIA EMBASSY AND " TAROM" ALL OVER THE WORLD AND EVEN IN THE USA,-

- I AM ASKING THAT THE US SENATE STOP RIGHT NOW " THE MOST FAVOURED NATION's CLAUSE" STATUS TO TERRORIST PRESIDENT NICOLAE CEAUSESCU AND HIS COMMUNIST GOVERNMENT!
- I AM ASKING THAT THE US SENATE STOP RIGHT NOW THE RIGHT TO FLY OVER U.S TERRITORY FOR ROMANIAN MERCHANT AIRLINE " TAROM"AND THE RIGHT OF SAIL INTO US TERRITORIAL WATERS FOR ROMANIAN MERCHANT SHIPS AND VESSELS

* OTHERWISE THERE WILL BE TERRORIST ACTIVITIES ON US TERRITORY BY " "TAROM"'s " INNOCENT " FLIGHTS AND BY ROMANIAN MERCHANT VESSELS.WHOSE SAILORS USE TO FISH " BY TROUBLYING THE SILENT WATERS!...

- DOWN TERRORISM!
- DOWN COMMUNISM!
- LONG LIVE TO FREEDOM!
- GOD BLESS AMERICA!

Thank YOU,for YOURS.attention,
Dr DIMITRIE G. APOSTOLIU
Writer with Pen Name: COSTIN JUREA
16 years POLITICAL PRISONER in ROMANI
COMMUNIST JAILS and into the FORCED
LABOR CAMP " THE CANAL DANUBE-BLACK S
(" THE CANAL OF DEATH") !-
President of THE AMERICAN-ROMANIAN
NATIONAL COMMITTEE FOR HUMAN RIGHTS"
Spokesman of HUNGER STRIKERS.-

DGApostoliu

" THE AMERICAN-ROMANIAN NATIONAL COMMITTEE FOR HUMAN RIGHTS"
345 WEST,86th St # 717
NEW YORK CITY,N.Y. 10024
Phone(212) 873-9600 x 717

" THE FIFTEENTH ROMANIAN HUNGER STRIKE FOR: FORCED SEPARATED FAMILIES REUNION in THE U.S.A.and for THE RESTORATION OF HUMAN RIGHTS and of FREEDOM OF RELIGION in COMMUNIST ROMANIA"

Started: MAY 28,1983 in front of COMMUNIST ROMANIA's MISSION to THE UN in NEW YORK CITY

Moved since TURSDAY,JUNE 9,1983 to WASHINGTON D.C., on CAPITOL's steps, on the side walk of DIRKSEN SENATE OFFICE BUILDING, on the side walk of THE WHITE HOUES and in front of COMMUNIST ROMANIA's EMBASSY.-

HUNGER STRIKERS in THE U.S.A.	HOSTAGE RELATIVES in COMMUNIST ROMANIA
1.- NICULAE ANCA(father) 2.- MIHAI ANCA(son) 46-50 North Hamilton CHICAGO,ILLINOIS 60625 Phone(312) 728-5311 PERMANENT RESIDENTS	1.-RAVECA ANCA(M.N.GUIAS) born on 6,18,57wife 2.DANIEL ANCA,born on 3,4,68= son 3.NICULAE ANCA,born pn6,12,57-son 4.SORIN ANCA,born on 9,10,58-son 5.ANGELA ANCA,born on 4,16,66- daughter 6.DANIEL ANCA born on 3,4,68- son 7.MARIUS ANCA,born on 10,5,69-son 8.GHEORGHE ANCA, born on 11,24,74- son 9.CALIN ANCA,born on 11,24,74 son 10.-ADRIAN ANCA,born on 2,15,76 11.-MARIA UNGUR(M.N. ANCA) born on 3,5,56daught 12. DINU UNGUR born on 1949-her husband 13.- CLAUDIA UNGUR,9, their daughter 14,-DINU UNGUR,6,their son 15.-COCA UNGUR,3,- their daughter Of: Strada IEDERII No 28, ALBA-IULIA, Judetul Alba. They applied for EMIGRATION since 1981 when received " THE BUTTERFLIES" Since then to date JUNE 8,1983 THEY HAVE NOTHING, BUT FOUR DENIALS
3.-MIRCEA ARDELEAN(husband) U.S.CITIZEN 4.-GHERGHINA ARDELEAN(wife) Maiden Name TOMA 12 SHARON CT # 303 Laurel, Maryland 20707 Phone(301)490-7227 US CITIZEN applicant	1.- MARIN TOMA,born on 10,19,1957-brother 2.- CORNELIA TOMA, born on JULY 1958-his wife Of: BULEVARDUL PACII NO94, Bloc 19, Scara 3, Etaj 6, BUCURESTI They obtained THE BUTTERFLIES on MAY 1980. Mrs CORNELIA TOMA WAS LAYD OFF FROM HER JOB AT PLACE. Mr MARIN TOMA a professional sporti with ROMANIAN NATIONAL TEAM of BYCICLE,WAS PURGED FROM SPORTIVE LIFE AND SEND TO WORK AS A SIMPLE WORKER IN CONSTRUCTION FIELD. TO DATE, JUNE 8,1983 they have more than 2o REJECTIONS of their applications!
5.-VICTOR ARMEANU,M.S. 6.-SABIN-LAURENTIU ARMEANU son, 5 years old 1819 Riggs Place NW WASHINGTON D.C. 20009 POLITICAL REFUGEES	1.-ELENA ARMEANU(M.N.BRAD)born on 12,4,51wife Of: Bulevardul 1 DECEMBRIE 1918,No 53, Etaj 6, Apt 22,Scara A, Sector 3 BUCUREST Tel: 39-85-87 She applied on JUNE 1982.THE SECURITY THREATENED HER WITH CONFINEMENT TO PSYCHIATRIC HOSPITAL.

7.- SEVER ARON,74, 49-45,North Central Park CHICAGO,ILLINOIS 60626 Phone(312)539-0006 c/o ION MADINCEA U.S.CITIZEN	1.-ELENA-LUCIA IONESCU(M.N.ARON)born 5,22,38daug 2.Dr HADRIAN IONESCU,M.D born 1,10,73 her husban Of: Strada GARA de NORD No 6-8 Bloc A, Scara 1 Apt 8, BUCURESTI (Tel: 49-35-05) They obtained " THE BUTTERFLIES" on 1980 On January 15,1983 Dr IONESCU was layd off! To date JUNE 8,1983 they have 8 REJECTIONS!
8.- CONSTANTA PANCU 9.- DIANA PANCU,13,daughter 533 West, Lindley Ave Philadelphya, Pa 19141 Phone(215) 324-6839 PERMANENT RESIDENT	1.- EUGEN PANCU, born on4,11,1983-hisband Of: Strada Dr Djuvara No 30,Sector 1,Bucurest (Tel: 49-63-83) He applied on AUGUST 14,1982 when received " THE BUTTERFLIES" His last REJECTION: MAY 13,1983
10.-ROMICA TREMURICI 15-20 West VINODA# 2 Chicago, Illinois 60640 Phone(312) 275-8569 PERMANENT RESIDENT	1.-MARIA FILIMON, born on 8,8,62-FIANCEE Of: USUSAUL de CRIS, Judetul BIHOR,ROMANIA She tried to apply since 1980 but received "THE BUTTERFLIES" only in APRIL 1981.The SECURITY TOLD HERbefore US CONGRESS HEARINGS on " MFN" that her application WAS APPROVED. BUT AFTER CONGRESSIONAL HEARINGS THEY TOLD HER THAT...THE APPLICATION WAS REJECTED! TO DATE, JUNE 8, 1983 SHE HAS MORE THAN 12 REJECTIONS! THE LAST ONE:MAY 13,1983!..
11.-MARIAN COMOLI(son) 12 ADRIAN COMOLI(father) 113-05,107 Ave Richmond Hills,NY 11419 Phone(212) 843-2578 PERMANENT RESIDENTS	1.- MARIA G. POPA Born on 12,11,61- FIANCEE 2.-GHEORGHE POPA,- her father 3.-ELENA POPA,her mother 4.- IOANA POPA,10,-her sister Of: Strada GHIOLULUI No48 COMUNA TUZLA Judetul CONSTANTA, COD 8715,ROMANIA They tried to apply for EMIGRATION since 6,22,81 when received " THE BUTTERFLIES". Since then they became PERMANENT TARGET OF SECURITY WHICH IS HARASSING THEM. After we joined THE HUNGER STRIKE on JUNE 20,1983- they were summoned to SECURITY and were ordered by TO CALL US UP BY PHONE AND TO TOLD US TO GO TO ROMANIAN EMBASSY AND TO APPOLOGISE FOR OUR PROTEST BY HUNGER STRIKE AND FOR APPEALED TO U.S. SENATORS AND US CONGRESSMEN IN THEIR EMIGRATIO BEHALF.OUR ANSWER: WE CAMEBACK TO THE HUNGER STRIKE ON JULY 26,1983 DETERMINED TO DO NOT LEFT THE HUNGE STRIKE PLACE TILL THEY WILL BE SET FREE BY TERRORIS PRESIDENT NICOLAE CEAUSESCU
13.- TOMA, GHEORGHE 14.-FLOAREA GHEORGHE Maiden Name COSMESCU 26-45, 9th St # 500 ASTORIA, N.Y. 11102 Phone(212) 626-4420 US CITIZENS applicants	1.- SILVESTRU CHITU born on 2,23,51,- son 2.-CARMEN CHITU, born on 3,21,59- his wife 3.-DRAGOS-FLORIN CHITU-born on8,30,1978-their son Of ALEEA ILIOARA No10, Bloc V 30,A, Etaj 3,Apt 14 Sector 3, BUCURESTI,ROMANIA(Tel:74-59-25) 4.- MARAIANA VISAN, born on 2,24,1950- coucin Of:STRADA IMPARATUL TRAIAN No 34 A,Sector 4, BUCURESTI(Tel: 23-68-87) THEY BECAME TARGET OF SECURITY BEING PERMANENTELY HARASSED BY SECURITY , REMOVED FROM THEIR JOBS AND THREATENED WITH CONFINIMENT TO PSYCHIATRIC HOSPITAL

15.- ASTRID GREENVILLE Maiden Name GHIGU 132 NICHOLS Rd NESCONSET,NY 11767 Phone(212)239-5363 Phone(516)979-8251Res U.S.CITIZEN	1.- CONSTANTIN SOBARU,MS- nephew 2.- MIHAELA SOBARU,- his wife 3.- FRANCISC SOBARU--,their son Of Strada DIONISIE LUPU No 65, BUCURESTI,ROMANIA They tried to apply since MARCH 1980 TO DATE, JULY 29,1983, they have more than 20 REJECTIONS! Mrs MIHAELA SOBARU WAS LAYD OFF WHEN APPLIED,(1980) Mr engineer CONSTANTIN SOBARU was layd off in 1983 They have PETITION VISAS APPROVED by March 1982.
16.-MIHAI NEMET 29 EUCLID Ave # 1 Fairfield, Connecticut 06432/ Phone(203)334-062oResidence/ Phone(203)334-1884 Office PERMANENT RESIDENT U,S CITIZENSHIO applicant	1.-ANA NEMET(MN BADIN) born on 12,14,80-wife Of: Bloc OM 2, Scara A, Etaj 2, Apt 10,BERCENI Sector 4, BUCURESTI,ROMANIA She tried to apply since 1978. OBTAINED THE PASSPORT BUT WAS ARRESTED on AUGUST 7,1980 WERE ASKED $ 25.000.oo TO BE RELEASED FROM JAIL and granted EXIT VISA. IA WAITING THE APPEAL. US EMBASSY to BUCHAREST KNOW THE CASE
17.- EUGENIA PREDESCU,DDS 120 Dekruiff Place # 15 B BRONX,NY 10475 Phone(212) 863-4141,2 PERMANENT RESIDENT	1.MARILENA GHEORGHIU,MS(M.N. PREDESCU)4,3,30sis 2.PETRONEL GHEORGHIU,MS B:5,4,34-her husband 3.MARILENA-LAURA GHEORGHIU,b:1963 their daughte Of Strada Sfintii Voievozi No 29, Etaj 1, Apt 1 Sector 1, BUCURESTI,ROMANIA (Tel:50-00-30) They applied on Nov 24,1980 To date, JNUE 8,198 they have 18 REJECTIONS!
18.-FLORENTINA-CORNELIA,RUS c/o LOUIS BALASZ 1324 UNION Ave Rd NEWBURG,NY 12550 Phone(914)564-7875 POLITICAL REFUGEE	1.- ALEXANDRU RUS,born on5,19,47-husband 2.ALEXANDRU-CRISTIAN RUS,b:8,1,71- son,11, 3.DIANA-LUCIA RUS,10, b:12,29,75- daughter Of: Strada MAX WEXLER No 19, Sector 2, BUCURESTI,ROMANIA (Tel: 53-31-71) My husband was layd off on JULY 11,1983 He received " THE BUTTERFLIES" but is in danger to be arrested for " PARASITISM"
18.-. JOHN TANASE 686 Fairview Ave Ridgewood, NY 11385 Phone(212) 565-0597 c/o GEORGE HIRSOVESCU POLITICAL REFUGEE	1.ANCA TANASE(MNCOSEREANU)b:10,11,53- wife OF: BULEVARDUL ION SULEA No 96 BLOC M 5 A Scara B, Etaj 7, Apt75 ,Sector3,BUCURESTI Tel: 73-60-173 66-98-40 c/o COSEREANU She WAS LAYD OFF FROM HER JOB on MAY 15,198 Received " THE BUTTERFLIES on APRIL 2,1983 REJECTED: JUNE 3,1983 and threatened with confinement to PSYCHIATRIC HOSPITAL and with PROSECUTION.
19.- MARIA DINU Maiden Name STAICU 41-11,40th St # 3E SUNNYSIDE,NY 11104 Phone(212) 729-6876 They applied since MAY	1.- ANCA STAICU, born on 4,22, 193o- mpther 2.-PAUL STAICU, born on 4,10,29- father 3.-DANUT STAICU, born on3,11,62- brother Of: Intrarea Muncii No 2,Bloc 8,Scara 2, Apt 13, Sector 3 BUCURESTI. They applied since APRIL 22,1982 when received " THE BUTTERFLIES" TO DATE, JUNE 8,1983 THEY HAVE 14 REJECTIONS! ON JANUARY 1983 DANUT STAICU was drafted with a FORCED LABOR MILITA UNIT and they have to apply again AFTER 2 MOR YERAS, 1n1985 when DANUT's FORCED LABOR TERM with the MILITARY UNIT will be over!

20.- NICOLAE TOADER 26-45, 9th St # 607 ASTORIA, NY 11102 PERMANENT RESIDENT applicant	1.-ZENOVIA TOADER(Maiden Name PODARU) born on JULY 13,1951- wife 2.- ROXANA-LILIANA TOADER,9, born on 7,8,74 daughter. Of: CARTIER CRISANA No 2,Bloc Z A 1, Scara5, Apt 2, SLATINA, JUDETUL OLT.- She did not receive the application forms and was threatened with confinement inti PSYCHIATRIC HOSPITAL.-
21.- AGORA BUJDUVEANU Maiden Name MISA 17-04, Palmetto St#1L Ridgewood,NY 11,385 Phone(212)455-1539 PERMANENT RESIDENT	1.- STERE MISA, born on 9,1,15- father Former 15 years POLITICAL PRISONER, 2.- SULTANA MISA(MN MIHALE) b:12,10,15- mother Of;Strada HELIADE INTRE VII No 42,Sect2 BUCURESTI Tel: 42-95-35 3.- SOTIR MARIA(M.N MISA) b:2,15, 48- sister 4.- SOTIR NICOLAE,b:4,10,42- her husband 5.-SOTIR VASILE VALENTIN,8,b: 11,10,69-their son 6.- SOTIR SIMONA,born on 5,13,65- their daughter All of them(#1-6) residing together at:Strada Locotenent Colonel PAPAZOGLU No 92 A, Sector 4, BUCURESTI,ROMANIA. They tried to apply since AUGUST 28,1980. To date July 26,1983 they have 5 REJECTIONS. The lst ones: STERE & SULTANA MISA: MAY lo,1983. MISA's:MAY 9,83
22.- IONEL COSTACHE 99-05,63rd Drive# 11 A REGO -PARK,NY 11374 Phone(212)459-5266 c/o MARIAN SEPCARU U.S.CITIZEN	1.- MARINA COSTACHE(MN DUMITRU) b:3,27,65- wife 2.- FLORINA COSTACHE, born on 10,14,1982- daughter Of Strada TRAIAN No 84, Sector 3, Etaj 1, Apt 12, BUCURESTI (Tel: 20-78-04) The SECURITY REFUSED TO GIVE TO HER APPLICATIONS.
23.- MARIA IACOB(mother) 24 LIDIA PLACINTA(daug) 57-42 MYRTLE Ave # 3 Ridgewood NY 11385 Phone(212)497-7021 PERMANENT RESIDENTS	1.MIHAI IACOB, born on 8,6,51- son 2.ADELA IACOB(MN PRIBEAGU) B;11,26,52- his wife 3.CORNELIA IACOB, lo, their daughter 4.ADRIANA IACOB,8,- their daughter 5.-CORNEL IACOB,6,- their son 6.MIHAELA IACOB,4,- their daughter 7.CRISTIAN IACOB,2, - their son Of: CARTIER GEORGE ENESCU, Strada LALELELOR No 17, Bloc E 104,Scara B,Apt 112,SUCEAVA,COD 5800. Tel:Cod 985-20692 They tried tp apply since 1976Being PENTECOSTALIAN all the family was under SECURITY's surveihnce and harassed by.TO DATE,JULY 20,1983 THEY HAVE MORE THAN 28 REJECTIONS 8.VIOREL IACOB, born on 7,24,61- son 9.- RODICA IACOB, born on 10,26,63- daughter 10.-EUGENIA IACOB, born on 3,27,75- daughter All of them residing at:Strada BLANARI No 5, Apt 6 BOTOSANI,ROMANIA.-
ELENA LUTA(mpther) Maiden Name TURCITU) MIHAELA DOLGU(daughter) 45-54,39th Place # 9 B/ Sunnydide,NY 11104 Phone(212)796-0217	1.- MIHAI LUTA, born on 3,15,61- son Of: Bulevardul DIMITRIE CANTEMIR No 23, Bloc 3,Sc B, # 2 Sector 4 BUCURESTI(Tel:63-79-95)OnJan 1983 WAS DRAFTED TO A FORCED LABOR MILITARY UNIT.

The News World NEW YORK, NEW YORK
MONDAY, APRIL 26, 1982

Arthur Noren—News World

Romanian author Dr. Dimitrie Apostoliu has been working in New York for eight years to increase awareness of the plight of his countrymen.

Romanian writer seeks freedom for countrymen

By Mike Butler
NEWS WORLD STAFF

ALTHOUGH HUMAN RIGHTS ADVOCATES VOLUBLY DECRY police oppression in South Africa, Central America and South Korea, they scarcely mention the violations perpetrated daily in communist Romania.

Dr. Dimitrie Apostoliu, a Romanian writer, translator and head of the Romanian National Committee for Human Rights, has been bringing the plight of Romanians to public attention since he arrived in New York City in 1974.

Apostoliu said that political imprisonment, torture, labor camps and execution has not faded in Romania as the country decreased its dependence on the Soviet Union. He described an event that took place last year.

"On March 25, 1981, two born-again Christians... were arrested at the Romanian-U.S.S.R. border. What for? They were sitting in the train, reading the Bible.

"The security turned them back to Suceava City under arrest. In Suceava... they were shot to death," said Apostoliu, who spent 16 years in Romanian political prisons.

Arrested, tortured, jailed

When the communists took control in 1947, Apostoliu was president of the press commission of the University Youth Organization of the National Peasant Party. After the party was abolished, thousands of rank and file members, Apostoliu included, were arrested, tortured, convicted and jailed.

He spent 1947-50 in jail, 1950-53 in a forced labor camp, 1953-56 as anunderground fugitive, 1956-57 in jail once again, 1957-58 as a fugitive and 1958-62 back in jail.

"I was condemned to death in 1962," he said. "When they drove me to the execution place, I jumped from the car and went underground for two years.

"In 1964, they gave me mercy," he said, adding that a condition of his release was that if he had been arrested for any political felony whatsoever, he would have been killed.

When he came out of hiding in April 1964, he found that his mother, father and brother had been killed by the security police. They were buried in three graves on the street — barred a place in a graveyard because they had been convicted and put to death by the Communist Party.

Under cover of darkness, Apostoliu said he dug up the coffins and buried them in a graveyard under false names.

Describing the present political situation in Romania, Apostoliu said, "There is only one political party, the Communist one. In the so-called 'elections,' there is only one candidate, the one for the Communist Party."

President a 'Terrorist'

Apostoliu never mentions Romanian President Ceausescu's name without prefixing it with the word "terrorist." He related a story of what the president of the British Royal Academy of Psychiatry experienced when he went undercover in 1981 to learn what Romanian prisoners of conscience were undergoing.

Trying to find out what happened to Vasaille Paraschiv, a member of the Romanian Free Trade Union (the Romanian counterpart of Solidarity), who disappeared in 1980, the doctor visited Paraschiv's wife.

Mrs. Paraschiv reported that four security officers delivered a jar of ashes of her husband. He had supposedly been burned alive at the order of President Ceaucescu.

"They forced her to call up all the workers to say that Ceaucescu ordered it as a symbol for Romanian workers, to show what will happen to them if they do what her husband did (help organize a free trade union), Apostoliu said.

Apostoliu, who has a degree in international law, a Ph.D. in psychology and is a writer of fiction, drama, poetry and several screen plays, said that during the years he lived in Romania following release from prison, he opposed the communist regime in subtle ways.

One major coup of his was to get non-political magazines published for children. One such magazine is "Arici Pogoni," which features children's stories, poems and bright-colored artwork. However, it isn't entirely non-political.

Bereft of the ubiquitous hammer and sickle symbol of the Communist Party, and incorporating colors other than official blue, black and red, the cover of the April 1971 issue features an allegorical cartoon which lightly satirizes Ceaucescu's wife, children and, above all, mocks their quisling relationship with the Soviet Union.

Written in blood

Apostoliu presents his experience of torture at the hands of Romanian Security in his poem "Resurrection Night in Communist Romania."

Originally written in blood on pieces of a cigarette packet, the poem captures the plight of many Romanians who are opposed to the Romanian Security Service.

He wrote it on the Eastern Orthodox Easter night. In it, Apostoliu

(Continued on page 4B)

ROMANIAN

FROM PAGE 1B

is relating his personal triumph over torture at the hands of an atheistic regime, against the background of the Romanian Orthodox Church commemoration of Easter.

This excerpt describes a torture session:

The colonel climbed onto him,
using his feet.
The executioner's hungry, to see
his defeat.
The pagan's wild hatred is
reaching a peak.
"Christian! Speak! Speak!
Speak!.."

* * *

...The floor is a flood, dark red
blood; the ceiling is getting
splashed as well.
Trashing and swearing, the colonel
is gnashing and snarling his ugly,
furious yell:
"Accomplices! Who are they? Hey
you!
Tell me! Tell me! Who is who?"...
...Then, thirstily; whipping, whip-
ping, whipping, the little gipsy-
colonel, strains...
But, there is silence, silence,
silence! The strong and majestic
one silence, that still reigns...

The News World

NEW YORK, NEW
MONDAY, JANUARY 10,

U.N. picketer vows to fast till Romania frees kin

By Gerrit J. van Dorsten
SPECIAL TO THE NEWS WORLD

"I will fast till I see my wife and daughter at Kennedy Airport," said a Romanian yesterday during the eleventh day of his hunger strike for reunification with his wife and daughter, living in Bucharest.

"I declared war on the Romanian government." said mustachioed George Hirsovescu, 33, who started fasting Dec. 30, 1982, in front of the United Nations and at present demonstrates outside the Romanian Mission to the U.N. with two of his compatriots.

Hirsovescu's voice sounds serious and his face looks grim. Despite numerous promises from Romanian officials, his wife Cleopatra and daughter Paula Monica Virginia have not received exit visas, since they applied in October1981, he said.

Immediately after their first request for a passport, his wife lost her position as a chief accountant in a steel factory and was assigned to a lower-paid, heavy physical job, he said.

Hirsovescu was a civilian pilot for 11 years until he defected Aug. 7, 1981, in Frankfurt, because "I had no freedom," he told The News World.

"After each flight I had to give a detailed report about the activities of my crew, and in between flights I was trained in communist ideology."

Hirsovescu said that in a phone call with the Romanian Mission to the U.N., an official who identified himself as "Vasile" threatened that Hirsovescu would never see his family again if he dared say anything about his experiences as a pilot for Romania.

On Jan. 5, Romanian seaman George Moraru, 36, joined Hirsovescu's hunger strike. He fled his country in April 1981, when he jumped ship in the Canary Islands harbor of Las Palmas.

Surviving on savings

His wife Sanda and son Dan have been waiting for a passport since November 1981. Moraru said his family has survived solely on the savings he left for them. But after such a long period, he added, there is not much left of this money, because in Romania good food is available only on the black market.

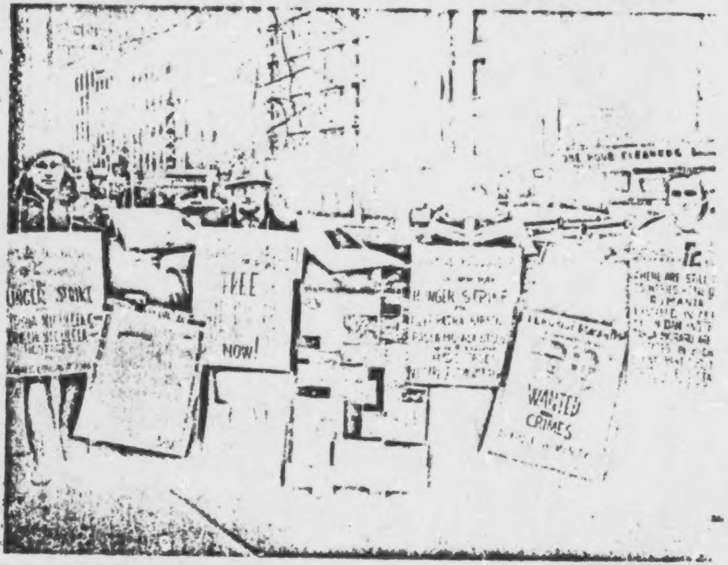
In a recent letter from his family, his ten-year-old son wrote, "every time mother writes a letter to you she cries. I don't cry, just a little bit."

Saturday, a third hunger striker joined the two: Mircea Niculcea, 58, who is fasting for the freedom of his wife Cornelia and his daughter Irina.

Niculcea is an architect who, on a visit to the United States in June 1982, applied for political asylum. He said he had been harassed several times by security police in Romania for anti-communist activities.

The State Department has criticized the Romanian government several times during the last few months, specifically for a recent decree that demands payment in foreign currency of an "education tax" ranging up to $40,000 from anyone quitting the country.

The fasters plan to continue their demonstration tomorrow in Washington, near the Romanian Embassy, the White House and the Capitol.



Shinya Nakamura — News

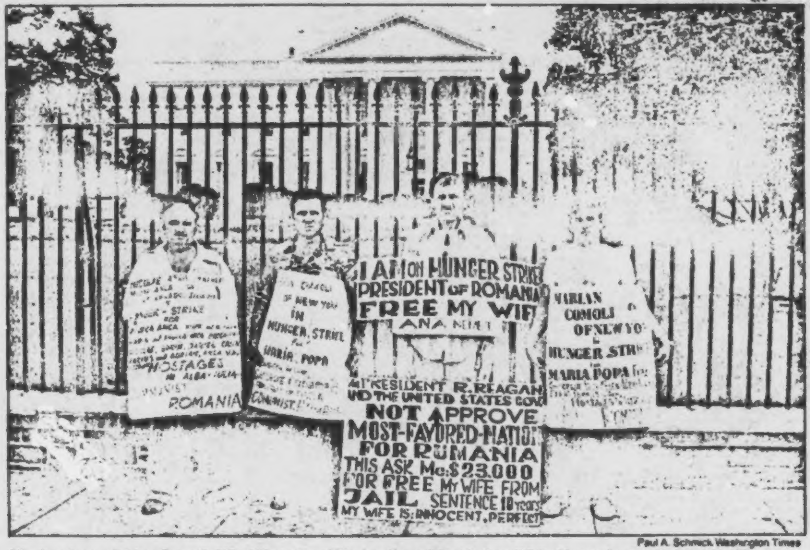
Romanian hunger strikers are shown across Third Avenue from the Romanian Mission to the U.N. yesterday. From left: Mircea Niculcea, 3rd day of fasting; Dr. Dimitrie Apostoliu, president of the American Romanian National Committee for Human Rights, supporting the protest; George Hirsovescu, 11th day, and George Moraru, 6th day.

THURSDAY, JUNE 30, 1983 / PAGE 5A

The Washington Times

Emigres fast on steps of Capitol

By Glenn Emery
WASHINGTON TIMES STAFF


I AM ON HUNGER STRIKE
PRESIDENT OF ROMANIA
FREE MY WIFE
ANA NEMET
MR PRESIDENT R. REAGAN
AND THE UNITED STATES GOV
NOT APPROVE
MOST-FAVORED-NATION
FOR RUMANIA
THIS ASK ME $23.000
FOR FREE MY WIFE FROM
JAIL SENTENCE 10 years
MY WIFE IS INNOCENT, PERFECT
HOSTAGES
ROMANIA
HUNGER STRIKE
MARIA POPA
COMUNIST
MARIAN
COMOLI
OF NEW YO
HUNGER STRI
MARIA POPA

Paul A. Schmick Washington Times

Niculae Anca, Adrian Comoli, Mihai Nemet and Marian Comoli fast before White House for families held in Romania.

A group of Romanian emigres, seeking permission for their families to join them in the United States, have brought their month-old hunger strike to the steps of the Capitol and the White House, where they say they have the "full support" of the Reagan administration.

The group is also protesting Romania's status as a "most favored nation," claiming that Romania is undeserving of that designation because the communist government of President Nicolae Ceausescu is preventing the wives, parents and children of the hunger strikers from leaving the country.

The most favored nation status is the norm covering the setting of terms governing trade between the United States and other countries but does not apply to communist countries except as a specifically granted concession.

According to Dr. Dimitrie Apostoliu — who also writes under the pen-name Costin Jurea — the family members are being held "hostage" by the communist regime and attempts to emigrate have been repeatedly denied or delayed.

The Ceausescu government reportedly demanded $23,000 for the release of Ana Nemet, wife of Mihai Nemet, a five-year resident of the United States and one of the eight hunger strikers.

Nemet said his wife was given a 10-year prison sentence by the Romanian authorities when she applied for an exit visa last year, adding that she is now gravely ill.

The last time he was able to talk to his wife, Nemet said, was by telephone in August. Before that, he had not spoken to his wife since he left Romania in 1977.

The protesters began their hunger strike May 28 in New York and then moved to Washington June 9.

Apostoliu said the group begins each day on the steps of the Capitol and then moves to the sidewalk in front of the White House in the afternoon. After 5 o'clock, he said, they carry their vigil to the gates of the Romanian Embassy.

A spokesman at the embassy said that he "had seen some people over there" but did not know who they were or what they wanted. The official, who asked not to be identified, said the group should contact the consular's office.

New York Tribune

Romania drugs defectors, hijacks them back home

By Gerrit J. Van Dorsten
NEW YORK TRIBUNE FOREIGN STAFF

A small car approached a TU-154, the airplane of pilot George Hirsovescu, some hours before its scheduled takeoff from an airfield in Rome. The car, bearing diplomatic license plates, stopped near the plane; the driver and a passenger pulled an almost unconscious man out of the car and dragged him over to the plane. They each helped him "walk" by pulling one of his arms over their shoulder, supporting his weight.

Hirsovescu protested when the three men entered the plane: "What is he doing here? I can't take him aboard — he is sick!" The man's head had tumbled backward and his eyes were staring into the distance.

"Don't think about him," one of the men said. "He will not bother you. You only need to fly the plane."

This story is typical of what Hirsovescu said he experienced more than 10 times between 1979 and Aug. 7, 1981 — the day the civilian pilot defected from Romania.

"Starting in 1979, Romanian embassy personnel brought drugged people to my plane to be flown back to Romania from Paris and Rome. They were brought one or two at a time, five or six times a year," Hirsovescu said.

Hirsovescu, 34, was a civilian pilot for the Romanian state airline, Tarom, from 1970 until he defected while in Frankfurt, West Germany.

New York Tribune

George Hirsovescu: Pilots flew drugged expatriates to Romania.

Decided to talk

Until a few weeks ago, Hirsovescu remained silent about his experiences because his wife, Cleopatra, and his daughter, Paula Monica Virginia, were still in Romania.

(see page 4A)

Romanian communists use drugs to force defectors to return

(From Page 1A)

The Romanian authorities granted permission for his wife and daughter to emigrate, after Hirsovescu staged a hunger strike at the end of December, and enlisted the aid of Senator Alphonse D'Amato, R-N.Y., his staff and other U.S. senators and congressmen. The hunger strike lasted for a few weeks. When his family arrived in New York on May 3, Hirsovescu decided to break his silence.

In his apartment in Sunnyside, Queens, Hirsovescu spoke in detail to the New York Tribune about his experience as a pilot for Tarom.

"Many times I have transported [drugged people]. They are brought to the plane in a diplomatic car," said Hirsovescu. "I suppose they come from the Romanian Embassy because only they have diplomatic passports with which to avoid customs.

"If [we] pilots try to refuse them, the 'diplomats' say we don't need to worry because the drugged people know nothing."

Since his defection Hirsovescu fears going near a Romanian embassy because he believes that 90 percent of the Romanian personnel are security police in America under the disguise of diplomats.

George Sorescu, another Romanian pilot-defector, said he had flown drugged people back to Romania 11 times, starting in 1978. He flew such "cargo" six times from Libya, three times from Damascus, one time from Brussels and one time from Cairo.

Sorescu had flown for 10 years as an international pilot, with his last five years spent as a captain for Tarom. "On Aug. 11, 1981, I defected in Dusseldorf, West Germany," he said. On the same day, his wife, Joanna, who worked for Tarom as a flight attendant, defected while in Nuremberg, West Germany.

Mrs. Sorescu said she recalled drugged people being brought aboard in Vienna and Zurich.

They usually were "very quiet and smiling like idiots," said Sorescu. The drugged Romanians told him they had tried to defect or instigate a revolt against their government and were being brought back, he said.

Sorescu said the pilots couldn't do anything against such activities because "on every flight there are three security police to prevent defections of Tarom personnel. Security is a big force in Tarom, so you must cooperate."

The two ex-pilots said they also were dogged by Romanian security police in West Germany.

While living in Munich for seven months after their defection, they were hosted by a section of NATO which questioned them about their time with Tarom. During this time the two defectors met another Tarom pilot, Vasile Milea, who joined them, saying he also had defected.

Johan Grenn — New York Tribune

George Hirsovescu hugs his wife, Cleopatra, after greeting her and their daughter, Paula Monica Virginia, upon their arrival at JFK airport after a 21-month str ggle to obtain exit visas from Romania.

Conversation taped

"Later we discovered he was working for the Romanian security police, and had taped our conversations with a small recorder in his pocket," said Sorescu.

"We reported to our NATO superiors that Milea was spying on us and had taken pictures of our papers," Hirsovescu said. "NATO then asked us to spy on him."

"But one day we saw a letter Milea had received from his brother, a big chief with the Romanian security police. The letter said, 'How could you make such a big mistake?' At this time he discovered that we knew he was spying on us," said Sorescu.

"In the beginning, he gained much information from our conversations that hurt the lives of many of our friends in Romania, whose plans and activities we spoke about," he said.

Milea later tried to gain permission to immigrate to the United States, but was denied entrance, Sorescu said.

Sorescu and Hirsovescu said the army and the security police have heavy influence in Tarom.

"In every bureau of Tarom, the chief is a military colonel. For example, the chief of the Romanian Civil Aviation department, Aurel Raican, is a general in the army," Hirsovescu said.

Favoritism

The ex-pilots also said the children of high military and government officials were often chosen for employment in Tarom and promoted without having to pass the normally required exams.

Hirsovescu said he had flown foreign students, suspected of being terrorists, out of Romania.

"Three years ago, at one high school in the borough of Giulesti in Bucharest, there were 300 to 400 Libyan students mixed in with Romanian students. There are also many Palestinian students in Romania; some are suspected of being PLO terrorists," Hirsovescu said.

The Romanian authorities had tried to deport the students to France, Bulgaria, Poland and other countries, but often those governments refused them.

Hirsovescu said that in January Romania trained 18- to 35-year-old Angolans in guerrilla warfare at military camps in Mihai Bravu near Tirgoviste, and then sent them back to Africa.

"Since 1979 another pilot and I each have flown 166 fighters to Bucharest three or four times a year," he said. "And after three or four months of training, we flew them back to Luanda, Angola." Other 18-year-old Angolans receive three years of training as fighter pilots at the Aurel Vlaicu Military Academy in the village of Bobocu near Buzau, he said.

Hirsovescu said he also had flown guns to Libya and other countries. He said he had made 15 flights to transport "machine guns and rifles from the World War II period" to Bengazi, Libya; Bujumbura, Burundi; Addis Ababa in Ethiopia; Sa'ana in North Yemen, Bangui in the Central African Republic and Luanda.

Gerrit J. Van Dorsten wrote this before leaving for his new assignment at the New York Tribune's bureau in Munich, West Germany.

FLORENTINA-CORNELIA, RUS
c/o LOUIS BALASZ
1324 UNION Ave Rd
NEWBURG, N.Y. 12.550
Phone(914) 564-7875
POLITICAL ASYLUM APPLICANT

STATEMENT of FLORENTINA-CORNELIA, RUS
before
U.S. SENATE COMMITTEE ON FINANCE
SUBCOMMITTEE ON INTERNATIONAL TRADE

HonorableMr. Chairman,
Honorable U.S. Senators,

I am FLORENTINA-CORNELIA ,RUS, ROMANIAN born POLITICAL ASYLUM applicant in the USA since JULY 7, 1983 when I defected in NEW YORK CITY from a ROMANIAN MERCHANT AIRLINE ".TAROM"'s flight of JULY 6,1983,- which I attended as a flight attendand with TAROM since JUNE 1970(11 years)

I arrived in the USA with a " TAROM" airplane on JULY 6,1983.-

Next day, in the morning I fleed from EDISON HOTEL of NEW YORK and I applied for POLITICAL ASYLUM in the USA.

Then, I joined " THE FIFTEENTH ROMANIAN HUNGER STRIKE FOR FORCED SEPARATED FAMILIES REUNION in the USA and for THE RESTORATION OF HUMAN RIGHTS and of FREEDOM OF RELIGION in COMMUNIST ROMANIA"- in behalf of my family HOSTAGE in COMMUNIST ROMANIA:

1.- ALEXANDRU, RUS, born on 5,19,47- my husband
2.- ALEXANDRU-CRISTIAN, RUS, born on 8,1,1971- our son,11,-
3.- DIANA-LUCIA, RUS, born on 12,29,1973- our daughter ,10,.-

All of them residing at:Strada MAX WEXLER No 19,Sector 2,BUCURESTI, ROMANIA(Tel: 53-51-71)

My husband was layd off in the same day when "TAROM"'s airplane caneback to BUCHAREST, ROMANIA, with a flight attendand missing: myself...

He applied to EMIGRATE together our kids, in order to REUNIFY over here our FORCED SEPARATED FAMILY in respect of THE UNIVERSAL DECLARATION OF HUMAN RIGHTS OF THE U.N., in respect of BASKET THREE OF HELSINKI AGREEMENT and of THE EXPRESS CONDITION.OF " EASING THE EMIGRATION FROM COMMUNIST ROMANIA, included in " THE MOST FAVORED NATION's CLAUSE" and a condition with which TERRORIST PRESIDENT OF COMMUNIST ROMANIA,personal agreed with the USA in 1975,1976,1977,1978,1979,1980,1981 and 1982!...

Myself, after graduated with ACADEMIC BACALAUREATE DIPLOMA I tried UNSUCCESFULY to register myself with a UNIVERSITY, THERE WAS NOT POSSIBLE BECAUSE I WAS DISCRIMINATED ON POLITICAL GROUNDS:

1.- My fatherbeing an accountant file leader with ROMANIAN ARMY OF THE KINGDOM of ROMANIA, was under permanent surveillance of SECURITY and PERMANENTELY HARASSED BY.

I REMEMEBER SINCE I WAS A LITTLE GIRL THAT THE SECURITY SEARCHED FROM TIME TO TIME OUR RESIDENCE AND MYSELF AND MY MOTHER HAD TO HID THE ICONS, THE BIBLES AND ANY OBJECT OF CULT.MY FAMILY AND MY SELF WERE AND STILL ARE GREEK ORTHODOX WORSHIPER. WE DID EVERYTHING UNDERCOVER,.

BY FEAR OF PROSECUTION FOR WORSHIPER GOD IN COMMUNIST ROMANIA, A COUNTRY WHERE THE OFFICIAL RELIGION IS " THE ATHEISM" THE ANTI-CHRISTIANISM, AND A OFFICIAL PERSECUTION OF ALL KIND OF RELIGIOUS BELIEF!...

MY FATHER WAS FROM TIME TO TIME INTERROGATED BY SECURITY, HARD BEATEN UP BY AND HE USE TO BE INTERROGATE ALL THE NIGHT, THE NEXT MORNING HAVING TO REPORT HIMSELF TO HIS MILITARY UNIT TO HIS WORK AS ACCOUNTANT...

- BEING POLITICAL DISCRIMINATED, AND FORBIDEN TO ATTEND ANY FACULTY IN COMMUNIST ROMANIA, I ATTENDED " TAROM"'s FLIGHT ATTENDAND's SPECIAL

POST HIGH SCHOOL PROFESSIONAL SCHOOL .-

AFTER GRADUATED BY, I START TO WORK AS FLIGHT ATTENDAND WITH"TAROM" SINCE JUNE 1970(11 years)

BUT THE POLITICAL DISCRIMINATION AGAINST ME WAS STILL GOING ON.-

BECAUSE I REFUSED TO JOIN THE COMMUNIST PARTY AND I REFUSED TO BECOME ANS SECURITY's INFORMANT.-

-On DECEMBER 25,1980, COLONEL OF SECURITY PISTOL, THE CHIEF OF " TAROM"'s COUNTER INFORMATIONS DEPARTMENT, INTERROGATED ME UNDER HARD PRESSURE ON MY FATHER SUPPOSSED UNDERGROUND ANTI-COMMUNIST ACTIVITIES, ON MY SELF ANTI-COMMUNISTS AND ANTI-USSR's ACTIONS AS: MY REFUSE TO JOIN THE COMMUNIST PARTY, MY REFUSE TO B COME AN INFORMANT MY GREEK ORTHODOX FAITH WORSHIPER,MY FRIENDSHIP WITH " TAROM"'s EMPLOYEES WITH THERE ARE NOT COMMUNIST PARTY MEMBERS AND - WHAT HE WAS RIGHT ABOUT- LATER THEY DEFECTED IN THE FREE WORLD:MARIA DINU,flight attendand who defected in ROME, ITALY and now is a PERMANENT RESIDENT OF THE USA GEORGE HIRSOVESCU a PILOT IN COMMAND WITH"TAROM" FOR 15 YEARS ,WHO DEFECTED IN WEST GERMANY, GEORGE SORESCU A PILOT IN COMMAND TOO AND HIS WIFE IOANA SORESCU, FLIGHT ATTENDAND WHO DEFECTED IN WEST GERMANY TOO AND NOW ARE OERMANENT RESIDENTS IN THE USA...

MARIA DINU AND GEORGE SORESCU DID A HUNGER STRIKE TO GET THEIR FAMILY...

-COLONEL PISTOL CANCELED MY PASSPORT FROM DECEMBER 25,1982 UNTIL MARCH 1983e- and I worked in this time as a clerk with " TAROM"...

- ON DECEMBER 6,1982, here in NEW YORK CITY, on J.F. KENNEDY AIRPORT, A ROMANIAN CONSUL FROM WASHINGTON D.C. AND MR MORARU, " TAROM"s MANAGER IN NEW YORK,- came by a car with DIPLOMATIC PLATES, the one car which is excepted from CUSTOM INSPECTION- CAME DIRECTELY TO OUR AIRPLANE,ONLY FIFTEENTH MINUTES BEFORE THE TAKE OFF.

THEY BROUGHT ABOARD OUR PLANE A MAN DRUGGED,THE TALL ONE,SLIM AND ABOUT 50 YEARS OLD AND CONFINED HIM TO " THE EAGLES"(THE FOUR UNDERCOVER COLONELS OF SECURITY WHO USUSALY ARE ABOARD ANY " TAROM" FLIGHT TO THE U.S.A.-

THAT POOR MAN WAS A ROMANIAN ARTIST, A POLITICAL REFUGEE. HE WAS KIDNAPPED BY ROMANIAN EMBASSY's OFFICIALS TO WASHINGTON .D.C., DRUGGED AND TOOK BY FORCE BACK TO COMMUNIST ROMANIA.-

OVER THERE ON OTOPENI AIRPORT OF BUCAHREST, THESECURITY's CAR WAS WAITING FOR HIM. AS THE AIRPLANE LANDED, " THE EAGLES" TOOK THE POOR DRUGGED ONE TO SECURITY's CAR FROM WHICH SUDENLY JUMP SVERAL SECURITY's OFFICERS AND STARTED TO BEAT HIM UP...

- THE SAME TING HAPPENED TO A YOUNG ROMANIAN WHO WAS KIDNAPPED, DRUGGED AND TOOK TO " TAROM" AIRPLANE ON EAST BERLIN AIRPORT in 1979...

ROMANIAN COMMUNIST GOVERNMENT IS A SUPPORTER OF INTERNATIONAL TERRORISM AND HIS UNDERCOVER SECURITY IS TERRORISING EVEN THE EXILEES OF THE USA BY KIDNAPPYING THEM ABY DRUGGYING THEM AND BY TAKING THEM BY FORCE, BACK TO COMMUNIST ROMANIA.-

HONORABLEMr CHAIRMAN, HONORABLE U S SENATORS,

I AM NOTHING BUT A HOPELESS HUMAN BEING. I WITNESSED COMMUNIST TERROR AND CRIMES AGAINST HUMANITY NOT ONLY ON COMMUNIST ROMANIA's SOIL BUT EVEN OVER HERE IN NEW YORK!

FOR THE SAKE OF GOD, I APPEAL TO YOU TO STOP TERRORIST CEAUSESCU's CRIMINAL HAND!

ENOGH WITH COMMUNIST GUERRILLAS CRIMES! ENOGH WITH INTERNATIONAL TERRORISM's CRIMES OVER CRIMES, BLOOD OVER BLOOD. KIDS BLOOD, MOTHERS BLOOD, TAUSEND AND TAUSEND OF INNOCENT VICTIMS OF COMMUNIST TERROR.

TERRORIST ARMED BY NICOLAE CEAUSESCU!

TERRORISTS MONITORED BY SOVIET RUSSIA's TERRIBLE-" K.G.B!"

I AM ASKING THAT U.S. SENATE DO NOT GRANT ANYMORE " THE MOST FAVORED NATION's CLAUSE" STATUS TO TERRORIST PRESIDENT NICOLAE CEAUSESCU AND

TO HIS COMMUNIST GOVERNMENT, UNTIL ALL HOSTAGE RELATIVES OF THE HUNGER STRIKERS WILL BE RELEASED AND WILL ARIVED IN THE USA, AND UNTIL " THE TEN POINTS OF HUNGER STRIKERS " WILL BE ENTIRELY ACCOMPLISHED!
I AM INSISTYING TO PERSUADE YOU, HONORABLE B.S. SENATORS, TO DO ANYTHING TO STOP THE BATH OF BLODD BY TERRORIST GUERRILLAS AND " K.G.B" ARMED BY TERRORIST PRESIDENT NICOLAE CEAUSESCU OF COMMUNIST ROMANIA!
TILL WILL BE NOT TO LATE! BEFORE THE USA BECOME THEIR VICTIM!
AND THIS THING CAN BE DONE ONLY BY STOFYING THE " M.F.N" STATUS TO TERRORIST NICOLAE CEAUSESCU AND TO HIS COMMUNIST GOVERNMENT!
FOR THE SAKE OF GOD, AND FOR THE SAKE OF AMERICAN CHILDREN, HONORABLE U.S. SENATORS,DO IT NOW!
SO HELP YOU GOD!
Thank YOU, FLORENTINA-CORNELIA, RUS

Florentina Cornelia Rus

Nicholas A. Bucur
ATTORNEY AT LAW

Gordon Square Arcade
6516 Detroit Avenue, Suite 248
Cleveland, Ohio 44102

AREA CODE 216
TELEPHONE 781-6676

July 19, 1983

Hon. Roderick Dearment, Chief Counsel
Committee of Finance, Room SD 219
Dirksen Senate Office Bldg.
Washington, D.C. 20510

Re: MFN for Romania

Dear sir:

The undersigned writes to you as an American citizen of Romanian descent, and as President of the American Romanian Anti-Defamation League, Inc.

I have long been an activist in American Romanian affairs and also wrote a book entitled "Ceausescu of Romania, Champion of Peace."

I made a trip at the end of May, 1983 at the behest of my client, Rev. Fr. Mircea Toderich, Pastor of St. Helena's Byzantine Catholic (Romanian) Church of Cleveland, Ohio, with him, to seek approval for the exit of two priests to come to America, to replace retiring priests here.

In order to accomplish this I had an interview with President Ceausescu which granted the approval. He also indicated that I could get more priests, which means the survival of the Byzantine Catholic Romanian church in America, and therefore te perpetuation of values important to that particular group.

Attached and enclosed are copies of the report which I made to Pope Paul John II when I took the priests from Romania directly to the Vatican so that he could see the two priests with his own eyes. Enclosed are two pictures, one with President Ceausescu and one with the Pope. I played a microcassette tape message from one of the bishops of the oppressed church of Romania, Bishop Ploscaru and a picture was taken of that moment.

You are free to use all or any of the attached message.

Cordially yours,
Nicholas A Bucur

P.S. Needless to say, I favor extension of MFN for Romania.

REPORT TO HIS HOLINESS
POPE JOHN PAUL II

By Dr. Nicholas A. Bucur
Attorney at law
6516 Detroit Ave. #248
Cleveland, Ohio, USA 44102
Tel. 216-781-6676

June 1, 1983
Rome, Italy

Pastor: Rev. Fr. Mircea Toderich, St. Helena's Romanian Byzantine Catholic Church, 1367 West 65th street, Cleveland, Ohio USA 44102. Tel. 216-631-0803.

Bishop: His Grace, Anthony Pilla, Ordinary of Diocese of Cleveland.
For background information on Dr. Bucur, see Who's Who of America.

***** ***** ***** ***** *****

THIS REPORT RELATES TO MY VISIT TO ROMANIA AS A GUEST OF THE GOVERNMENT, MY INTERVIEW WITH PRESIDENT CEAUSESCU TO GET HIS APPROVAL TO TAKE TWO PRIESTS TO THE UNITED STATES, MY MEETINGS WITH THE SURVIVING BISHOPS AND VICARS OF THE UNIATE CHURCH (OPPRESSED IN 1948), WITH THE ORTHODOX PATRIARCH, WITH PRIESTS OF THE UNIATE CHURCH, WITH OTHER PEOPLE, AND MY IMPRESSIONS.

***** ***** ***** ***** *****

PRESIDENT NICOLAE CEAUSESCU of Romania received me on May 18, 1983. I already knew him and had written a book entitled "Ceausescu of Romania, Champion of Peace" concerning Romania's historic peace principles (3300 years old) and as espoused by him today. I had also been active in a number of programs of which he knew, concerning Romanian history, image, and the growing Hungarian irredentist movements. Our conference lasted nearly one and half hours at which time, among other things, I requested his approval to take two priests to the US to serve at Romanian Catholic parishes, including my pastor's. Ceausescu approved not only these two, but also as many more as I would want in the future. This latter was an unexpected and wonderful bonus and thus constituted the event as an historic occasion, because this assures the continuation of the Romanian Catholic church in America.

The Byzantine church in America is a missionary church and thus this event also benefits indirectly the Uniate church of Romania. This is a point to which this writer shall return in the future after more priests have been approved for service in America. Ceausescu initiated a discussion about the status of religion in Romania and made it clear that it was not his regime which issued the decree terminating the Byzantine Rite church, that the issues are quite complex, but that he will not mix into religious matters. (A very interesting statement and position which ought to be pursued by competent parties).

Pres. Ceausescu authorized me to carry a personal and verbal message to His Holiness to the effect that:
1) he had met with me; 2) that he sends his personal greetings and good wishes; and 3) wishes the Pontiff the very best of health.

I expressed to Pres. Ceausescu my gratification upon reading an article in the newspapers that when the Pope was injured he immediately called Pres. Zhivkov of Bulgaria to inquire into the circumstances. His reply was a smile but he made no further comment on that subject.

I also suggested to Pres. Ceausescu that he appoint and maintain a personal and unofficial observer at the Vatican, which is the nerve center of the world in terms of international news.

President Ceausescu having approved the exit of the two priests, they were brought to Rome, instead of flying directly to Cleveland because of the historic nature of the event, being the first opening of a door to better conditions since 1948. The two priests are:

Rev. Gregori Duma and
Rev. Gheorghe David,

both of Iasi (Iash) Romania. Other subjects were covered in the conference with Pres. Ceausescu, including my intent to form an organization called "Friends of Transylvania" to aid in the battle against defamation of Romanians and against irredentism.

I met also with many other persons in the government and privately and included surviving Uniate bishops and vicars, & priests

The two bishops with whom I met were: His Grace, IOAN PLOSCARU and His Grace, ALEXANDRU TODEA.

I met each on my swing through Transylvania, and each gave me a taped personal message for His Holiness on my micro-recorder, conveying their best wishes, loyalty, prayers, and fidelity to the Pontiff and the Church. They differ somewhat in their personal views, as might be expected. Both, however, urged the Pope to be aware of the growing demands of Hungarians everywhere, of the dangers of irredentism, and of these factors as they relate to the basic issues of the church in Transylvania.

They were delighted to see Father Toderich, who has been a benefactor of theirs for decades. They were in good health, and comfortable under the circumstances. They were full of memories and vitally concerned with the Pontiff and his health.

In Romania I was moved to tears on more than one occasion. Once, when Bishop Ploscaru spoke of the right to give up his life for the church, again when Bishop Todea spoke, and again when I saw twelve bars of soap made from Jewish victims of the Holocaust, at the Jewish Museum in Bucuresti.

To see those two devoted prelates and witness their intense faith was almost overwhelming, and has marked me for life.

I also have a taped message from Vicar Silviu Prundus. I also met him and Vicar Coriolan Tamaion who came in to Bucuresti to meet me and the one bishop I did not have the chance to meet was Bishop Ioan Dragomir.

RELIGIOUS FERVOR: I was astounded to see the deep and intense faith of the Romanian people, Orthodox and Catholic. Churches were full, regularly, and special occasions the crowds are mammoth.

An interesting sidelight is that when Pres. Ceausescu's father died, the president arranged for a public funeral (on TV) with 10 priests, two bishops and the Patriarch. There is some kind of message in all of this.

BISHOP AFTENIE'S GRAVE:

As is well-known, Bishop Aftenie was tortured and killed. In order to fit him into a small coffin, they broke his legs and twisted them against the normal bent, to double him up. His grave was unmarked at first, but now the grave is well-known and duly marked. Person after person came while I was there with Father Toderich and a representative of the Ministry. The latter was absolutely amazed to see women arrive, one by one, one by one and said, "I had no idea..." He is a professed atheist, but he was touched. Even a youngster of 17 came, put flowers down, said prayers and lit candles. An older lady warned her sotto voce, "Don't let them take your picture, they are security police" which of course was not true. Nonetheless, the young girl tossed her ~~hair~~ head and said, "I don't care!" I asked her why she came when she had not even been born when Bishop Aftenie was murdered. She murmured,"It is my faith... I believe..." I was there for almost an hour, observing, and the women kept coming, as though organized, one by one. I cannot tell you, adequately, what it meant.

Also, during my tour of Transylvania I saw the fervor of the faithful, the filled churches there also, and the complete freedom of the Hungarian minority. There is no persecution of the Hungarians. Indeed, they are better off than the other Romanians because the government bends over backwards to keep them mollified.

In Bucuresti I went to St. Joseph's Cathedral on Sunday for 11 o'clock Mass. The church was filled to the brim.

On a prior occasion I saw Monsignor Augustine of said Cathedral and I also have a message for His Holiness on tape from him, also expressing best wishes for his good health, and loyalty, and faith in his leadership.

(Note: all messages on tape will be transcribed and re-taped and sent to Father de Paoli indue course).

At Miercurea Cuc, I was told that at a recent Catholic observance more than 30,000 participated at the church there.

PATRIARCH JUSTIN:

I was surprised to receive aninvitation from the Patriarch to visit him at his cathedral. He was most cordial and inquisitive about many things, including the priests, and life in America in general. He is an impressive figure and he spoke of the religious vitality of his church, that his monasteries and convents are over-flowing and that millions are being spent on repair, restoration and new buildings.

Through me he sends his personal greeting to His Holiness to the effect that: we met, that he wishes good health and extends his best wishes to the Pontiff with whom he enjoys good relations and continuing correspondence.

I personally saw an example of the construction program and activity of whichhe spoke when I visited the monastery at Tirgoviste. There I visited two elderly nuns who had been colleagues of my dear mother 65 years ago. They (and also Pres. Ceausescu) sent taped messages to my mother.

OBSERVATIONS:

Religious conditions are improving in Romania, it seems.Mass is being said by Byzantine Catholic priests and bishops, unmolested, provided not too much fuss is made about it publicly, and if the numbers are small (up to 10).

The approval of two priests to exit, with an open door for me to request many more, is also a very positive sign. No doubt the favorable result was had because of a concurrence of parallel developments and factors:

a) the authorship of my book and the very favorable reaction thereto in spite of some very strong opinions;

b) my long - time involvement in American-Romanian programs;

c) my strong relations with the president there inspite of intense differences in ideology;

d) the growing threat of Hungarian irredentism and chauvinism everywhere, but including the USA; and
e) the growing danger of the loss of existing Romanian catholic parishes in the United States, due to attrition of priedts and lack of available priests, except in Romania, and thus, the loss of Romanian heritage, culture and language, inthe USA, a matter which I strongly argued to Pres. Ceausescu.

CONCLUSION

This has been an excellent beginning, and with God's help, more good things can happen, and will. In a year or so, after more priests have been obtained, small movements will be initiated to seek a review of various aspects of the basic problem. Vatican cooperation will be indispensable. The issues must be approached realistically and will need continuing dialog, study, and zealous pursuit. This writer believes, however, that progress is not only possible, but inevitable, as has been now demonstrated by the case of the two priests.

IT HAS BEEN AN HONOR AND PRIVILEGE TO HAVE SERVED THE CHURCH AS AN INSTRUMENT OF DIVINE PROVIDENCE.
THE AUTHOR BEGS FOR THE BLESSING OF HIS HOLINESS.

NICHOLAS A. BUCUR

(Specific requests:
a) an audience with His Holiness.
b) three or more photos: shaking hands with Dr. Bucur, listening to the recorder, and with the group. These are use in Cleve. for publicity purposes.

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July 29, 1983

Chief Counsel
Committee on Finance
219 Dirksen Senate Office Building
Washington, D.C. 20510
ATTN: Mr. Roderick DeArment

Dear Mr. DeArment,

In accordance to our telephone conversation, we would very much appreciate if you will treat this letter as a deposition [redacted].

It has been the U.S. policy since the late 50's under both Democratic and Republic Administrations to build "bridges" with countries of Eastern Europe. It has been the conclusion of U.S. Government, that trade between countries can accomplish this goal more readily than other methods.

Romania has been a trading partner with the U.S. on a fair and equitable basis, purchasing from us almost as must as they export to our country. Furthermore, they have taken an independent stand on Foreign Policy, which many times has been in conflict with the Soviet Block. U.S. consumers have benefitted from the growth of trade between our two countries and jobs have been created as a result.

The undersigned has personally been in Romania many times and has attended services in various synagogues and was able to obtain Kosher food throughout the Country.

We therefore believe that MFN status should again be extended to Romania and is our belief that it is to our best interest that it be extended to a minimum of three years, instead of an annual extension.

Our company, as well as many others who trade with Romania, require this length of time in order to have stability in our planning.

The rejection of MFN status for Romania would result, for our company, and most other companies, dealing with a decrease in trade of 60%.

We thank you in advance for your consideration and assure you of our fullest co-operation.

Very truly yours,
CHEROMI, INC.

Harold Chapler

RRNA
CONSULTING ECONOMISTS

Written Statement of Maurice D. Atkin, Consultant to Chilewich Corporation, to be Presented to the Senate Committee on Finance, Subcommittee on International Trade

My name is Maurice D. Atkin. I am an economic consultant with Robert R. Nathan Associates. I have represented the Chilewich Corporation in Washington for over 20 years. I am pleased for this opportunity to testify again on behalf of the Chilewich Corporation in support of Most-Favored-Nation Status for Romania.

The Chilewich Corporation exports cattle hide, the raw material for leather. In 1982, the United States exported over 900,000 hides to Romania valued at over $27 million. This represents a strong increase of 38% from 1981 cattle hide export levels. In addition, cattle hide exports have been strong thus far this year, estimated at over $13 million in the first quarter. The portion of hides destined for Romania has increased also. The share of U.S. cattle hide exports destined for Romania was approximately 8.7%, in the first quarter of 1983, up from 4.1% in 1982.

These exports constitute a significant contribution to the American cattle and beef industries by providing an outlet for a by-product generated in excess of domestic demand. These additional revenues are important to American agriculture and to supporting industries.

The world recession continued in 1982, reducing the amount of Romania's exports from already depressed levels in 1981. This has limited Romania's ability to finance imports, and its total imports fell significantly also. However, this reduction in trade has been seen throughout many countries in the world during the recession. United States exports and imports also fell from 1981 to 1982.

Trade with Romania has the potential for growth. In addition to cattle hides, other significant exports to Romania are coal, agricultural products, and fertilizers. There is growth potential, particularly for coal. Romania's current plan for the next ten years indicates an increase in coal use. The United States is well positioned to meet any Romanian requirements for coal imports. Even at their current depressed levels, Romania was the nineteenth largest importer of United States bituminous coal in 1982.

The prominence of Romania in the United States Eastern European trading market was spurred by the signing of a United States-Romanian trade agreement in 1975, which accorded Most-Favored-Nation tariff treatment to Romania and facilitated commercial exchanges. Although there have been a series of other economic agreements and protocols with Romania over the past decade, Most-Favored-Nation status for Romania has been a critical ingredient in the United States-Romanian trade picture.

The world is only now emerging from a global recession. As the world's economies begin to grow, trade can be expected to increase between nations. This increase in trade will bring opportunities for United States exports. These exports mean jobs and increased production in agriculture, manufacturing, and energy sectors. Romania is part of this potential export market, and extension of Most-Favored-Nation status to Romania is the foundation on which our trading relationship with Romania is built. The Chilewich

Corporation and America's business in general have benefitted from United States-Romanian trade, encouraged by the 1975 Act. The Chilewich Corporation and United States business stand to continue to benefit from the extension of Most-Favored-Nation status.

In addition to the economic incentives of extending Most-Favored-Nation status, increased trade brings closer ties between Romania and the United States. Recently, the Romanians took an important step to strengthen ties between the United States and Romania. In June, Romanian authorities assured president Reagan that they had eliminated the education tax on emigrants, and would not replace it with further emigration restrictions. We welcome this show of good faith by the Romanians and feel that this is a further indication that trade ties should continue through Most-Favored-Nation extension.

Thus, in light of the recent lifting of emigration barriers in the form of the education tax, the potential of increased exports to Romania, and the political and economic benefits to United States-Romanian trade, I urge on behalf of the Chilewich Corporation and myself, that you approve President Reagan's recommendation to extend Most-Favored-Nation treatment to Romania.

WRITTEN STATEMENT BY CYRUS GILBERT ABBE
FOR THE
SUBCOMMITTEE ON INTERNATIONAL TRADE OF THE SENATE COMMITTEE ON FINANCE
JULY 1983

For years the Romanian government has deceived both the American government and the American Jewish Community during this Subcommittee's hearings on extending most-favored-nation trade privileges to Romania by promising an improvement in its severe restrictive policy on emigration and an end to its tortuous procedure and harassment of individuals who want to emigrate. Each year after the hearings are concluded there is disappointment as Romania fails to live up to its promises. But this past year was probably the grossest example of Romania's unreliability. Soon after the Romanian Ambassador advised the trade subcommittees of his government's intention to improve its emigration record and Romania was granted an extension of most-favored-nation trade privileges for another year, it imposed an extraordinary and enormous education tax on potential emigrants thereby preventing individuals who applied to emigrate from leaving and frightening potential applicants from even daring to request emigration application forms. Romania knew this education tax was in complete violation of the conditions for obtaining most-favored-nation trade privileges and that it completely contradicted the assurances it had just given to Congress. Nevertheless it acted with complete disregard for its commitments and for the basic human rights protected under the Trade Act and the Helsinki Accord of which it is a signatory.

Romania has not only repeatedly broken its word to the American government but for years it has also broken its word to the American Jewish Community. In 1979 in order to mute any objections by American Jews at the International Trade Subcommittee hearings on extension of most-favored-nation trade privileges it specifically agreed with the American Jewish Community that it would allow any person who wanted to emigrate to do so and would expeditiously process emigration applications. It is four years later and Romania has still failed to keep its word.

Based upon my visits to the Jewish Community in Romania, extensive discussions with Romanian Jews who have, after great difficulties, been allowed to emigrate from Romania, and substantial correspondence with Jews in Romania and their relatives all over the world, I have the following conclusions:

1. There are probably about 60,000 to 70,000 Jews living now in Romania and most of them would like to emigrate and be reunited with their families in Israel. Although synagogues may exist in Romania, everyone is required to work on Saturday so that the only Jews able to attend Sabbath morning services are those who are retired. Although kosher food and other religious observances may be maintained, this limited form of Jewish life does not compare with the full Jewish existence available in Israel, and the Romanian Jews long to join their families in Israel. There are now about 300,000 Romanian Jews living in Israel, most having left Romania just after the end of World War II, so those left in Romania frequently have almost their entire family in Israel.

2. Although about 4,000 Jews left for Israel each year in 1973 and 1974, only approximately 500 have left in the first six months of this year. If this rate continues for the remainder of the year and only 1,000 leave in 1983, it would constitute a decline of 75% from the number allowed to emigrate in 1973 and 1974.

3. The Romanian government has instituted a complex and tortuous application procedure for an exit visa not only to delay seriously and unnecessarily the length of time an applicant must wait for an exit visa but also to intimidate, frighten and discourage Jews from asking for exit visas. Whereas previously a person wishing to emigrate completed a large application form and then could wait months or years for a response, several years ago the Romanian government instituted a new procedure whereby the applicant must first complete a brief preliminary request form. Only if this is approved

does he receive the large application form. (Jews in Bucharest suspect the reason for the change was so that when a member of Congress would ask about an individual seeking to emigrate, the Romanian Ambassador could say he hadn't even applied to leave when in reality the government had rejected his preliminary request and refused to give him an application form.) After the applicant submits the preliminary request a delay of at least several months frequently follows and then he is summoned to a meeting at the local People's council in the area where he works. There he is frequently humiliated and advised to withdraw his request. If he refuses, he is often threatened and told orally that he will not be permitted to leave. After more months of waiting he may receive a formal written rejection of his request. He then begins to submit complaints with the hope that the decision will be reversed. It may never be reversed, or sometimes after a short or long period of waiting his complaint is recognized and he is given the application form. After he completes and submits the application form he continues to wait with no assurance of approval. If his application form is approved, he has to obtain and submit to the government dozens of documents regarding his home, his job, etc., and if those documents are all in order, his exit visa will finally be granted. At all of these steps applicants are rejected, but since an applicant has already announced his desire to emigrate from the beginning of this tortuous proceeding he is frequently subjected during this long period of time to harassment and persecution such as being followed, having his phone tapped and being fired from his job so that he is obliged to remain in Romania but has no source of income. Is there any doubt in the face of this procedure that the Romanian government has decided to violate the terms of the Helsinki Accord and the provisions of the Jackson-Vanik amendment, to break its word and assurances to the American Jewish Community, and to violate its repeated promises to the American government? Can anyone doubt that this procedure and the accompanying persecution make many Jews who want to leave too frightened to take the first step and ask for the preliminary request to emigrate form? And yet, in spite of enormous deterrence and the fear facing any applicant, thousands of Jews are registered in Romania as applying for emigration visas, and even those who have been waiting for years and years without obtaining the Romanian government's approval are hopeful that pressure from the American government and international criticism will cause Romania to grant them permission to finally join their families in Israel.

In view of Romania's repeated failure to live up to its word, I do not believe the International Trade Subcommittee can rely on Romania's assurance once again that it will improve its record on emigration. Last year renewal of most-favored-nation trade privileges was accorded on Romania's assurance of improvement in emigration. Instead, Romania passed the education tax making the emigration situation worse. Now Romania is supposedly assuring the American government it won't enforce the tax (but it apparently is not being repealed so it can be quickly enforced at any subsequent time) in order to obtain the trade privileges for another year. Romania should not be rewarded for making a bad situation worse last year by imposing an education tax just because this year it promises not to enforce the tax.

I am proud as an American of our government's concern for human rights around the world, for free emigration, for reunification of families. But how shallow our words must appear when year after year despite the constant expression of concern by this Committee and other Congressmen the Romanian government prevents Jews from joining their families in Israel and continues an application procedure which is tortuous and intimidating. With emigration of Romanian Jews to Israel down by about 75% and the application procedure a terrifying example of Romania's disregard for the principle of free emigration it is time to deny most-favored-nation trade privileges to Romania until concrete evidence is provided by the Romanian government that (1) it will increase the number of Jews who are allowed to emigrate to a total of at least 4,000 a year, which is approximately the total that was permitted to emigrate before Romania obtained most-favored-nation trade privileges, and (2) the application procedure has been changed completely. The International Trade Subcommittee should continuously monitor the emigration procedures in Romania and the handling of individual emigration applications to determine if Romania is keeping its word. Such action by the International Trade Subcommittee and Romania's strong desire for trade with America will encourage her to change her emigration policies quickly, and the Jackson-Vanik Amendment will have effectively assisted numerous individuals to live free from persecution and to be reunited with their families.

A question has recently arisen regarding the applicability of the Supreme Court decision in the case of Immigration and Naturalization Service v. Chadha et.al. to the Jackson-Vanik Amendment. To resolve this problem and still retain the essence of the Jackson-Vanik Amendment may I suggest, that instead of Congressional hearings each year subsequent to a Presidential determination on whether to grant Romania most-favored-nation trade privileges (which might lead to a Congressional veto by the Senate or the House on the President's action that could be challenged as unconstitutional), Congress should act each year by (a) introducing bills authorizing the President to grant most-favored-nation trade privileges to Romania if he concurred with Congressional findings that free emigration was allowed there and (b) holding hearings on the bills prior to voting on them to determine if Romania actually permitted free emigration. Only if Congress was persuaded that free emigration actually had been allowed would it pass the proposed legislation. This procedure would exert pressure each year on Romania if it wanted most-favored-nation trade priviledges, and such pressure actually resulted this past year in Romania's promise not to apply the education tax on potential emigrants. The procedure would not reduce the President's power to make his own independent determination on whether Romania allowed free emigration and he should therefore grant the trade privileges to Romania which had been authorized by Congress, but since the legislation had to commence with Congressional action each year the suggested procedure would maintain for Congress an equal say in the determination of this question. Just as at the present time both Congress and the President would have to agree before Romania was granted most-favored-nation trade privileges. However, the new procedure outlined here would resolve the constitutional issue at the same time it assured Romanians who are trying to emigrate that Congressional hearings each year provide an incentive for Romania to allow them to emigrate freely.

STATEMENT OF FRANK KOSZORUS, JR. ON BEHALF OF THE INTERNATIONAL HUMAN RIGHTS LAW GROUP, WASHINGTON, D.C.

This testimony is submitted on behalf of the International Human Rights Law Group which is a non-profit legal organization established by the Procedural Aspects of International Law Institute in September 1978, with the assistance of funding from the Ford Foundation and the Rockefeller Brothers Fund. Assisted in its work by lawyers, paralegals and law students, the Law Group provides legal assistance to individuals and non-governmental organizations on a pro bono basis and offers educational programs.

For over five years, the Law Group has monitored the Romanian Government's human rights record. Its emigration policies are extremely restrictive. Severe and repressive controls are exercised by the Communist Party over civil and political rights and economic decision-making with police harassment a common feature of everyday life. Oppressive measures are directed against its Hungarian minority which is increasingly subjected to a systematic policy of forcible assimilation. This testimony touches all three aspects of Romania's record and weighs them against the requirements of Section 401 of the Trade Act of 1974 (hereinafter "Jackson-Vanik Amendment").

The underlying purpose of the Jackson-Vanik Amendment is to promote fundamental human rights. In fact, it begins with the phrase: "to assure the continued dedication of the United States to fundamental human rights," and therefore clearly states that it is concerned with the general issue of human rights as well as with the specific and articulated question of freedom of emigration.

This interpretation is not only consistent with the language of the Act, but also with the universally accepted standards of human rights. Fundamental human rights cannot be narrowly restricted and confined to the right of emigration. The right of emigration certainly is an integral part of an individual's fundamental freedoms, yet it is merely one of a host of other rights. Although individuals may seek the safety valve of emigration when conditions become so unbearable that they can no longer foresee a future for themselves, many do not leave their homeland. Human rights encompass those who wish to leave their countries as well as those who remain behind. Thus, the language of the Jackson-Vanik Amendment itself as well as the internationally accepted norms of fundamental human rights mandate that a full review of a country's human rights practices take place before Most Favored Nation's treatment is extended. In this respect, Romania's deplorable human rights record justifies a suspension of MFN.

Turning first to the question of the general human rights situation in Romania, even a cursory review reveals a dismal situation. As characterized by the Department of State's 1983 Country Reports on Human Rights Practices at p. 983, "Romania is a highly centralized communist state. In the area of human rights, there are major discrepancies between Romanian law and the nation's international commitments on the one hand and the Government's internal practices on the other." Moreover, "political dissent and deviation from the party's policies are not tolerated." Both the Department of State's report as well as Amnesty International's

1981 Report on Romania beginning at p. 314 documents that government's gross and persistent human rights violations which include the physical and psychological abuse of political prisoners; intolerable conditions of confinement for prisoner's; police harassment, arbitrary arrest and imprisonment exacerbated by the lack of effective legal remedies for persons subjected to such treatment; denial of a fair public trial; forced entry into homes in cases of political dissidents; the imprisonment of those seeking to form free trade unions; and the harassment and persecution of religious groups and their members.

With the possible exception of the decrease of the barbaric practice of confining prisoners and dissidents in psychiatric hospitals, conditions have deteriorated since MFN has been extended to Romania.

In addition to the depreviations of these civil, political and religious rights suffered by the general population, the members of Romania's Hungarian minority -- the largest national minority in Europe -- face an additional host of oppressive policies which are aimed at forcibly assimilating and destroying their culture. These policies are intensifying and include the closing of Hungarian language educational institutions at the elementary and high school levels and the elimination of Hungarian universities, such as the Bolyai University in Cluj; the suppression of Hungarian and other minority languages; curtailment of human contacts and cultural exchanges as well a the cultural opportunities within Romania; harassment of churches and religious groups and the confiscation of archives; falsification of census figures and history; and the conconmittant persecution of individuals who raise their voice against political, social, cultural and religious discrimination, with the most outspoken individuals being arested, beaten or condemned to forced labor camps.

For instance, in November, 1982 a number of Hungarian intellectuals were arrested for publishing an underground journal, "Ellenpontok" (Counterpoints), which chronicled the persecution and forcible assimilationist and denationalization policies of the Romanian Government. Some of those arrested, such as Ara-Kovacs Attila and Toth Karoly, were beaten and otherwise abused. After their release, they were rearrested and subjected to continuing police harassment.

Another equally ominous trend is the disappearance of outspoken Hungarians. For example, a well known Hungarian actor in Sfintul Gheorghe, Visky Arpad, who openly aired Hungarian grievances, was arrested on or about February 5, 1983 and was not heard from until the end of April when he was tried in a military court in Bucharest and sentenced to six years labor in the Danube Delta. Borbe Erno, a history teacher, and Biro Katalin, an engineer, both of whom were outspoken regarding the Hungarian situation, disappeared at the end of November and have not been heard from since. It is believed that they have been given life sentences.

Thus, the denial by the Romanian government of many of the fundamental human rights, such as a right to liberty and security of person, serves to perpetuate the systematic violation of minority rights and enables the government to implement its policy of discrimination and forcible assimilation of Romania's

Hungarian and other minority groups.

Not only has the Law Group found these conditions to exist with respect to the denial of human rights to the general population and national minorities, but they also have been corroborated by a massive body of irrefutable evidence which includes letters and memoranda from Romanian-Hungarian politicians, scholars and intellectuals, scholarly studies appearing in the United States and Europe; communications, statements and studies from groups monitoring human rights violations in Romania; reports appearing in the mass media; and the recently published "Counterpoints."

Both the general suppression of human rights as well as the violations endured by Romania's Hungarian and other minorities solely because of their ethnicity justifies withholding MFN until Romania expresses a genuine intent and actually takes steps to conform its behavior in dealing with its citizens to the minimum yet binding international standards of human rights -- standards freely acceded to by Romania.

The Jackson-Vanik Amendment, however, goes on to proscribe the extension of MFN to any non-market economy country which "(1) denies its citizens the right of opportunity to emigrate; (2) imposes more than a nomial tax on emigration or on the Visas or other documents required for emigration for any purpose or cause whatsoever; or (3) imposes more than a nominal tax, levy, fine, fee or other charge on any citizen as a consequence of a desire of such citizen or emigrate to the country of his choice."

Romania's emigration practices fall well short of the standards enumerated by the Jackson-Vanik Amendment and by the international instruments acceded to by Romania. This is reflected by the Department of State's Report, supra, in which it states that Romania "regards emigration as a betrayal of the country and uses a wide variety of means to discourage it. The administrative, social, and economic sanctions which have been imposed against intending emigrants include forced transfers or loss of josb, demotions, reductions in salary, and other forms of discrimination." Similarly, the report to the Congress by the Commission on Security and Cooperation in Europe, August 1, 1980 at p. 232 characterizes Romania's policy toward emigration as one of, "discouragement bordering on hostility -- (which) has remained unchanged during the past three years. The Romanian state does not recognize the right to free movement, rather it claims a right to control the movement of citizens. Romania regards emigration and foreign travel as privileges the state bestows and asserts that it is each citizen's duty to remain in his or her homeland and contribute to its development. Consequently, the laws and regulations governing the movement of citizens out of Romania and designed to restrict, rather than facilitate travel across the borders. Leaving or attempting to leave the country without official permission is regarded as a crime against the state."

Romania's callous disregard for human rights is exemplified by the enactment in 1982 of a decree requiring would-be emigrants to repay in convetible currency the cost of education. Although that decree has been suspended with respect to the tax on education, as reported by the President in his Recommendation of Waiver Authority, there is considerable concern that other fees, such as the repayment of medical fees in convertible currency, will prove to be a formidable obstacle to emigration.

In addition, the cases before the Law Group, a sampling of which is provided to the Congress and attached hereto as Exhibit "A", demonstrate the severe deterrence of Romanian citizens seeking to emigrate from that country to the United States. They demonstrate the persecution of family members of those, who after scaling the seemingly insurmountable obstacles, are able to emigrate; the harassment and persecution of those seeking to emigrate, i.e., loss of jobs, demotion, police harassment; the repeated denials of exit visas to those seeking to emigrate, the denials of application forms to those seeking to emigrate; and the denials of requests to visit with family members abroad. Although the only justification for leaving Romania which is recognized by the government is family visits or family reunifications, the cases before the Law Group all involve families divided between the United States and Romania and thus reveal the unwillingness of Romania to even permit its citizens to execise their very limited right of family reunification. (See Appendix)

Until Romania shows a real willingness to facilitate freedom of emigration and family reunification in accordance with the Helsinki Final Act, the United States should not grant Romania Most Favored Nations Treatment. To do so would be in violation of our laws. The Law Group is reaching this conclusion does not seek to adversely affect U.S. Romanian relations; rather, it urges this Committee to send out a clarion call to Romania that the United States is not indifferent to the fate of countless families denied their right to reunification, in particular with their family members in the United States. Nor is the U.S. government indifferent to the fate of Romania's oppressed population, including its 2.5 million Hungarian minority, and will insist on respect for fundamental human rights as a condition for preferential treatment by the United States. This is not only morally appropriate but it is required by Section 402 of the Trade Act.

EXHIBIT "A"

Cases of Family Reunification--United States

Andreiovici Family

Petitioner: Catalina Petroniu and Mother. Residence: Los Angeles, CA. Family members: Aunt (mother's sister), Elvira Andreiovici. Uncle, Mircia Andreiovici. Two children, Camelina, 21 years; Aurelina, 15 years. Nephew and his wife, Horia Paul and Michaela Paul. Residence: Bucharest, Str. Regenrarii Nr. 9.

At least eight applications to emigrate by this family have been rejected. The family is reportedly being subjected to harassment. Nothing has been accomplished at the meetings which the family has had with the Romanian government. It is now almost four years since their initial application to emigrate from Romania. Both parents have been dismissed from their previous accountant jobs and their older daughter has been unable to find employment because of the family's wish to emigrate.

Povian Family

Petitioner: Nicolae Povian. Residence: 21636 Masonic, St. Clair shores, MI, 48082. Fiancee: Leia Lupulescu. Residence: City of Timisoara, Str. Cerna, nr. 19, County of Timis, Romania.

The petitioner is a lawful permanent resident of the United States who emigrated from Romania. He has filed the required affidavit of support of his planned marriage for the United States government, and on 12 December 1980 made application with the Romanian authorities in the U.S. for approval of his marriage. Meanwhile, his fiancee requested in January 1981 the necessary documents for emigration in Romania. However, the Romanian authorities there have consistently refused to deal with her or to meet her requests.

Georgescu Family

Petitioner: Zilitseanu Gabriela Georgescu. Residence: c/o Office for Student Affairs, The American College of Switzerland, Leysin, Switzerland. Family member: Husmand, Dr. Dan Georgescu. Residence: Cihoschi Street 10, 2nd floor, apt. 9, Bucharest 71134 Romania.

Since August 1982 the petitioner has lived in Switzerland, where since November 1982 she has been the Senior Department Assistant to the Dean of Student Affairs at The American College of Switzerland. In October 1982 her husband applied with the Romanian authorities in Bucharest for a passport in order to rejoin his wife.

Cotruta Family

Petitioner: Tudor Cotruta. Residence: 9050 Carron Drive #256, Pico-Rivera, CA, 90660. (213) 949-8847. Family members: Daughter, Son-in-law, 2 grandchildren.*

The petitioner, his wife, and youngest daughter are lawful permanent residents of the United States, where they have lived for over a year since emigrating from Romania. He has been attempting for some time to arrange for one of his other daughters, her husband, and two children to emigrate from Romania. Although the Romanian government has approved the family's petition to emigrate, it is refusing to issue the passports until the family pays $7400 US in an education tax. However, the family is unable to raise the necessary funds. Additionally, the American embassy in Romania has informed the family that their skills do not make them eligible for entry into the United States. The petitioner's daughter is a draughtsman, and his son-in-law is a photographer with two years of computer education.

Vatra-Dornei Group

Members: Natan Fleischer, Herman Rubinger, Samuil Feiden, Isaac Bleichner.
Residence: All at Str. Dornelor 16, Vatra-Dornei, Romania.

The Vatra-Dornei group is composed of four elderly Romanians, all over seventy years old, who were seized and sentenced to hard labor 29 1/2 years ago on charges of "counter-revolutionary sabotage." Although no longer imprisoned, they now bear very large fines for alleged "damage to state interests" and are consequently unable to leave the country. Other members of the group received amnesty from similar fines in 1980 after US intervention and the promulgation of Romanian Decree 199. The four men listed above still await amnesty. Even before they can hope to emigrate, then, they need amnesty and their case is therefore different from the other divided families cases. Because of their long suffering and ill health, though, their situation is equally serious.

*Daughter: Luminita Tapu
Son-in-law: Cornel Doran Tapu
Grandchildren: Alina Tapu, 4 yrs. old
Adina Tapu, 4 yrs. old
Roland Tapu, 1 1/2 yrs. old

Address of Tapu family: 13th of December St. #77
City Brocov, ROMANIA

COMMITTEE OF TRANSYLVANIA, INC.
Founded 1956
LOUIS L. LÖTE
P.O. BOX 10069
Rochester, N.Y. 14610
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2808 East 124th Street
Cleveland, Ohio 44120

STATEMENT OF THE COMMITTEE OF TRANSYLVANIA, INC. IN CONNECTION OF A PRESIDENTIAL RECOMMENDATION TO CONTINUE THE WAIVERS APPLICABLE TO THE SOCIALIST REPUBLIC OF RUMANIA AND TO EXTEND THE WAIVER AUTHORITY UNDER THE TRADE ACT OF 1974

In the period since the last renewal of the most-favored-nation status to Rumania, the government of that country has demonstrated a highly objectionable conduct vis-a-vis our government and in violating human rights of national minorities. On both counts Rumania is guilty on my and many others' opinion.

1.

RUMANIA VIOLATED THE PROVISIONS OF THE TRADE ACT OF 1974 AS COMPLEMENTED BY THE JACKSON-VANIK AMENDMENT.

In November of the last year President Ceausescu issued a decree for an "education tax" to be imposed upon prospective emigrants, amounting to $4,000 to $40,000 a person. (To my knowledge he did it against the recommendation of his foreign minister, Stefan Andrei who then just a short time before reassured our government that the tax decree will not be forthcoming.)

In the early days of March 1983, following the letter and spirit of the Trade Act, President Reagan suspended Rumania's most-favored-nation status beginning with June 30 of this year, unless Mr. Ceausescu rescinds the tax decree. In approaching the June 30 dead line Mr. Ceausescu, in turn, revoked the decree and President Reagan, in his letter to the Congress (June 3) recommended that the waiver authority be extended for a further 12-month period and that waivers applicabla to Rumania will substantially promote the objectives of section 402 of the Trade Act. The circle so completed, Rumania managed to come out as victor, as she greatly improved her chances for the renewal of the favorable tariff rate.

As background to the Rumanian tax manoeuver it is remarkable how deftly Mr. Ceausescu turned an unfavorable relation with the United States, the possible loss of the MFN status in 1983 into a safer and more certain chance for the renewal of the favorable tariff rate, and, with the same stroke, he contempted the United States Governemnt, the Congress, the De-

of State
partment, and even the White House.

Mr. Ceausescu must have felt threatened by two factors: the more important one was the presidential "Recommendation for Extension of the Waiver Authority" transmitted to Congress by President Reagan's letter from June 2, 1982, and less significantly the growing influence of Hungarian-Americans as the Rumanian head of state may have perceived it.

* In his recommendation President Reagan clearly includes a threat to Rumania as he writes: "I intend to inform the Romanian government that unless a noticeable improvement in its emigration procedures takes place and the rate of Jewish emigration to Israel increases significantly, Romania' MFN renewal for 1983 will be in serious jeopardy."

* The House hearing of last year showed a stronger than ever support to the oppressed Hungarian population of Transylvania. (See Appendix no.1.)

* A complaint on Hungarian-American influence was expressed to me personally by a high ranking Rumanian official in Washington.

* A Staff Report prepared for the Committee on Foreign Relations,United States Senate, issued in April 1983 states clearly that "the Romanian government is increasingly sensitive to the international concerns over the treatment of the ethnic Hungarian minority, and may be seeking ways to improve its public image problem in this regard."

Under these circumstances President Ceausescu must have wished to prevent suspension and avoid embarrassment by voluntarily renouncing the MFN status and (and yet enjoy the advantage of heavy money receipts from would be emigrants).

To summarize the Rumanian tax adventure:

- November 1982: Rumania violates the law on ground of which she was granted the preferential MFN trade status
- March 1983: President Reagan suspends Rumanian MFN, obliged to do so by the provisions of the 1974 Trade Act
- May 1983: Rumania revokes the ilegal tax decree
- June 1983:President Reagan directs Congress to renew Rumania's MFN for 1983.

As a result of violating the US law which was brought to Rumania's advantage, Rumania became awarded with the extension of the benefits of the law which Rumania had violated. . .

Notwithstanding the rescission of the education tax, reports by Rumanian citizens indicate a brand new rip-off scheme of Bucharest, This new program requires that prospective emigrants who bought home or condominium financed by the state, are asked to pay the full purchase price before their departure is granted. Emigrants loose their homes, condominiums to the state when they leave Rumania. People having very little equity in their real estate, are thus forced to pay huge amounts of money for the balance of their debts only to loose their just paid up property to the state without any reimbursement.

* I recommend that our Government demand to stop this practice which in many cases actually means the reestablishment of the emigrant tax under another title. In essence this new Rumanian practice amounts to another contempt of our Government.

2.

WITH REGARD TO THE NON-RUMANIAN NATIONALITIES OF RUMANIA AND AMONG THEM PARTICULARLY THE LARGEST, 2.5 MILLION STRONG HUNGARIANS, ATTROCITIES AND MISTREATMENT CONTINUED THROUGHOUT THE PAST 12 MONTHS.

Some of the most outrageous events having come to our attention are these:

a/ A book was written by a Rumanian novelist, friend of President Ceausescu, called Ion Lancranjan, and published by the Sport & Tourism Department of the Government in Bucharest in 50,000 copies, entitled Cuvint despre Transilvania (A Word about Transylvania). The book's concluding essay is a poetic treatise glorifying the Rumanian character of Transylvania coupled with a not-so-poetic but rather slanderous attack and agitation against the Hungarian population of Transylvania. It was rapturously received by Rumanians and outraged by Transylvanian Hungarians. At least this last essay of the book violates the Rumanian Constitution which spells out that nationalistic agitation is a crime punishable by jail terms. But apparently it is not a crime if Rumanians agitate against Hungarians. Ironically, a high ranking Rumanian official attempted to turn this obvious intention of the Lancranjan book into a virtue of the Rumanian government which - said this Rumanian - does not practice any censorship (sicc!) so the book could be published. But wait until an anti-Rumanian book could be published in Rumania by Hungarians. Such a theoretic case would be considered as nationalistic agitation. violation of the constitution, crime against the state; arrest, police brutality, tortures, heavy jail term would be the consequences. (See Appendix No.2.)

b/ In Rumania, as it is generally known, the press is the exclusive mouth-piece of the communist party and the government. To write the real truth thus can be done clandestinly only. A Hungarian-language underground (samizdat) journal entitled "Ellenpontok" ("Counterpoints") started to appear since the latter part of 1981 in Transylvania. It took a year until the Rumanian security forces identified the names of the editorial staff and acted upon their finding by arresting them for the non-violent exercise of their right to freedom of expression.

Geza Szocs, editor in chief, aged 29, a writer and poet from Kolozsvar(Cluj) was arrested last November together with some ten other Hungarians from Koloozsvar (Cluj) and Nagyvarad (Oradea). Among those arrested were Attila Kertesz, Attila Ara-Kovacs, Karoly Toth and his wife. Mistreated and beaten up by the police they suffered the usual Rumanian treatment of illegal arrest,torture and cruelty. In and out of prison and house arrest, Geza Szocs had to spend time in mental institute, another Rumanian regular feature. While Ara-Kovacs allegedly managed to resettle in Hungary, Geza Szocs and his partners still cannot be located reliably.

These arrests were reported by Amnesty International and other international organizations. However, there is at least one Transylvanian public figure who has no knowledge either about the persons, or their arrest. This is Rev. Nagy, the Hungarian Reformed Bishop who - according the US Senate staff report from April 1983- "claimed not to have heard of any round up and further claimed never to have heard of the poet" (Geza Szocs). The Rumanian Foreign Ministry, somewhat "more liberally" has not ignored the existence of Geza Szocs, only conveniently "denied that Geza Szocs was taken into custody and stated flatly that he is a free man".

The staff delegation noted that the Bishop apparently been briefed on the particular questions of interest to the staff delegation prior to his meeting. "The discussion with the Bishop showed that he had coordinated closely his statement with those of the Foreign Ministry" -writes the staff report. Based only this particular indoctrination one does not have to have very vivid imagination to develop a very sceptical view on the truth-value of Rumanian official statememts in any case where the real truth would be embarrassing to the prestige of the Ceausescu regime.

c/ With the title "The Truth about the National Question in Romania" a 76 page pamphlet was published by Agerpres in Bucharest, in 1982. We got hold of a copy a couple of months ago. The text states among others that "the possibility of the nationalities to be taught in their own languages constantly developed in step with the progress made by the Romanian school in the past decades". In contrast to this well sounding but misleading statement the fact - based on previous Rumanian statistical data - is that Hungarian schooling has been in a consistent decline in the last 20 years.

d/ Transylvanian Hungarians have never before expressed their grievances and their solution thereof so clearly as in the last year. Their Memorandum of September 1982 and their Proposal to solve the problems were addressed to the participants of the Madrid Conference "examining the adherence to the Helsinki Agreements". The original Hungarian test is included in the 8.-th issue of the "Ellenpontok" ("Counterpoints"). These documents charge that the Hungarian language school system is gradually being destroyed, additional obstacles are being created to hinder the publication of Hungarian books and periodicals, the Hungarian language is being forced out of public life entirely, and vigorous efforts are being made to prevent contact between ethnic Hungarians in Transylvania and Hungarians elsewhere. The authors of the document request the Madrid Conferees to take steps to grant the ethnic Hungarians the right to regard themselves as bound to the entire Hungarian people, the right to preserve their ethnic identity and values, and the right to establish an independent organization to protect athnic interests. For the full text of the Memorandum and the Proposal see Appendices No's 3 and 4.

---***---***---

In conclusion I would like to emphasize these points:

- Hungarian-Americans are grateful to our Government (including the House of Representatives, the Senate and the Department of State) for expressing interest in the plight of Transylvanian Hungarians by conducting dialogues with Rumanian officials and sending fact finding groups to Rumania.
- However, we feel, as the facts show, that these measures of interest proved inadequate to persuade the Rumanian government that the time is here to change their course in treatment of Hungarians. On the contrary, it is not impossible that discussions with American officials may be used by the Rumanians as a propaganda

vehicle and as an opportunity to deftly deny all the charges for mistreatments and cultural deprivation of Hungarians, as well as promoting the idea of the Rumanian "magnanimous" attitude of giving Hungarians all the benefits they want to have.

* We are convinced that only force or the prospects of force could influence the Ceausescu regime, as it could influence any other dictatorial government. The leverage of the Trade Act of 1974 ought to be used in a direct manner on behalf of the oppressed Transylvanian Hungarians, as it has been used steadily for maintaining an acceptable flow of emigration.

* It seems that Rumanians are developing an increasing, however, unofficial fear that Transylvania is not safely in their handsand some time in the future it would be returned to Hungary, its original mothercountry for more than thousand years.They attribute an exagerated degree of Hungarian influence upon their "influential American friends" as well as to the "friendship" between the Kadar regime and the Kreml. To prevent the eventual,loss of Transylvania, Rumanians seem to find accelerated de-nationalization process necessary so that when their fear would become a realistic historical turn, only few remnants of Hungarians will have survived.

* Another reason for Rumanian fear might well be the bad economic situation, the much lower standard of living, and a more striking lack of freedom in Rumania as compared to Hungary. It is now entirely possible that not only Hungarians but also Rumanians suffer under the provision of the Trianon peace treaty which placed millions of Transylvanians under Rumanian rule.

July 18, 1983

Louis L Lote

Louis L. Lote
President,
Committee of Transylvania, Inc.

Appendix No. 1.

RUMANIA'S MFN STATUS UNDER ATTACK

The congressional hearings on Rumania's favorable tariff rate were enhanced this year by the participation of members of Congress, as witnesses, and a former governor of Pennsylvania who all spoke out against Rumania. Their reasoning included the difficulties of emigration from Rumania, violations of religious freedom and oppression of Hungarians in Rumania.

Representative Larry McDonald (Ga.) introduced a Resolution against the renewal of the Rumanian MFN. In his testimony he stated on the witness stand that "in addition to the problem of emigration, there is also the problem of internal repression which goes on day and night against Christians and Jews in Rumania and is also carried out against minorities in Rumania, especially her Hungarian minorities. In this connection it is worth noting that two State legislatures Georgia and Kentucky, passed resolutions in opposition to renewal of MFN status for Rumania. If this subcommittee (Subcommittee on Trade. Ed.) goes against the wishes of the President in this matter, there is grassroots support for you out there in the countryside. Just in May of this year, a leading Rumanian dissident disappeared in Paris and is thought to have been murdered by Ceausescu's secret police for criticism of the regime. President Mitterand may cancel a forthcoming visit to Rumania as a result." (He did. Instead, he went to Hungary. Ed.)

Representative Robert K. Dornan (California) also introduced a resolution against the renewal. In his statement he stressed among others that "the record shows that Rumania has continued its campaigns of persecution of religious groups, especially Jews and evangelical Christians, of minorities, particularly its Hungarian population, and, in fact, of anyone at all who tries to escape Rumanian Communist totalitarianism." "Under the rule of Rumania's current dictator, that nation's minority population, including, 2 ½ million Hungarians, has been the target of an aggressive campaign of forceful assimilation."

After pointing out the "precipitous drop" of Rumanian emigration to Israel, the religious persecution of Christians in Rumania representative Tom Lantos (California) emphasized that "nor can we feign blindness at the educational and cultural deprivation suffered by the Hungarian minority in Rumania. The huge reduction of educational facilities for Hungarians at all student levels, the decline in the numbers of teachers and students and the total elimination of Hungarian professional associations forces us to recognize these gross inequities." "I had a lengthy automobile journey through Transylvania a few years ago" — Mr. Lantos went on — "and I had the opportunity to talk to large numbers of Hungarians of all social classes. I wish to confirm to you from personal firsthand experience that the cultural suppression of the Hungarian minority is a reality in Rumania which must come to an end... I recommend that MFN status for Rumania be renewed; but only after concrete assurances of real progress in the areas of emigration and basic human rights are given."

On the question posed by Representative Schulze, a member of the Subcommittee on Trade in charge of the hearing, wether this type of persecution is going on in other Eastern European nations, Mr. Lantos answered as follows: "Well, there is no place, with the exception of the Soviet Union, where the ethnic problem would be as quantitatively as in the case of Rumania. Transylvania has a tradition going back 1000 years. This (the Hungarian. Ed.) is a major, dominant group historically in the area.

I am inclined to say, Mr. Chairman, members of the committee, that in many ways, Transylvania within the Hungarian context occupies something analogous to New England in the United States, or perhaps I should say the 13 colonies. I mean, this in many ways was the core and the finest and the most enduring segment of Hungarian society.

As a matter of fact, during the century and a half of Turkish occupation of what is Hungary, the central part of Hungary was under Turkish domination and the western part of Hungary was under Austrian control. But it was in Transylvania that the linguistic, political, ethnic flame was kept alive.

To see really the flower of Hungarian, of the essence of Hungary, discriminated against and put in an inferior position and gradually eliminated is very painful to anyone who has Hungarian blood flowing in his veins.

I simply cannot emphasize enough the system of the character of this cultural discrimination.

The only reason my recommendation is for a 1-year extension is to give the Rumanian Government one final chance to mend its ways. It is a recommendation which I am making with a great deal of reluctance, not a bit of enthusiasm, and hoisting the flag of caution to the Rumanian authorities that they best shape up.

Senators Jesse A. Helms (North Carolina), Steven D. Symms (Idaho) and others also submitted resolution against the renewal of Rumania's MFN status. But the committees in charge in both House have decided not to let the matter come to the respective floors for vote and thus the extension became a routine matter of the congressional procedure.

Hardly six months passed since the hearings, and Rumania has violated its obligations under the terms of the 1974. Trade Act by imposing a heavy "education tax" on prospective emigrants. The outcome of this issue may be the loss of MFN status for Rumania.

SPECIAL REMARKS AND RECOMMENDATIONS

(Excerpts from the statement made by Louis L. Lote president, Committee of Transylvania, Inc. at the congressional hearing held July 13, 1982 by the Subcommittee on Trade, House of Representatives, in Washington, D.C.)

1. Transylvania is a special part of Rumania. That land is the home not only of Rumanians, but also Hungarians (for more than one thousand years) and Saxons (for 800 years). Hungarians and Germans have made Transylvania by their cultural and religious background the easternmost outpost of what we call "Western Culture". Originally, Transylvania had been part of Hungary since forming of that country 1086 years ago, until 1919.

2. We estimate the Hungarian population of Rumania to about 12% of the total. But taking the flat percentage rate is misleading for the Hungarian presence in Rumania because their rate in Transylvania amounts to more than one-third of the total population, in some areas and in many communities a 51 to 100% majority.

3. Transylvania oriented oranizations in our country are grateful to the interest and good will of many Members of the U.S. Congress who repeatedly called the attention of the President and Secretary of State with regard to the self-determination of and cultural genocide against the Hungarians in Rumania. We are very much pleased that the question of Jewish emigration became one of the major considerations in deciding the MFN status for Rumania. We would only like to emphasize that it would contribute greatly to a just governmental philosophy if violations of human and national rights, discrimination because of race, nation, creed, language and culture in Rumania would enjoy a similar degree of consideration.

4. The problem of national minorities is a very complex one. But historical past, size, cultural developement and, above all, the desire to preserve one's national identity are some of the most important factor to be considered. In the case of the 2.5 million Hungarians these factors are very much present. As far as I know, provisions in the Paris peace treaty of 1947 for the protection of national minorities are as little as

nil. For the bad consequences for millions of peoples of that omission the signatory powers are responsible. The United States is one or those powers.

5. A single one-line law could mean a turning point in all national and cultural suppression in Rumania. That would be a law recognizing the Hungarian as a second official language in entire Transylvania.

On a much smaller scale, but with more realistic hope that it could be achieved within the next 12 months, another one-line decree is a top priority of many Hungarian-American Transylvanian leaders. This is to rescind the infamous hotel-decree according to which overnight stay of a foreign visitor in the homes of friends and relatives (except parents and children) is forbidden under heavy fines. This decree, at present, cuts off visitations of Hungarians to Hungarians in Transylvania as few of them can afford a hotel if there is any in a reasonable distance and almost any Hungarians in Hungary have relatives or friends in Transylvania.

6. I strongly believe that the Transylvanian Hungarian question should be subject of not only testimonies at a hearing but discussions on a person-to-person basis with competent governmental organ. With this sought in my mind I respectfully recommend establishment of regularly sheduled meetings of a group of most active Transylvanian American leaders with select members of the Subcommittee once or twice a year. These meetings would make possible some follow up communications and could bring the Transylvania problem which seems to float in a vacuum in conjunction with the Subcommittee, down to the earth of realities and eventual solutions, or at least slow but stead improvements might be forthcoming.

Hoping for a favorable reaction to this proposal, I conclude my statement and again thank for the opportunity.

Contributions to help defray printing and mailing expenses are graciously accepted and thankfully appreciated.

Please make checks payable to:

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P.O. Box 3869
Rochester, N.Y., 14610

REPORT
OF THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE

HUMAN RIGHTS (EXCERPTS)

INTRODUCTION

"Respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief" represents the heart of Final Act promises on human rights. Signatory states are pledged to "promote and encourage the effective exercise of civil, political, economic, social, cultural and other rights and freedoms... without distinction as to race, sex language or religion".

Not only are Helsinki states expected to respect this broad range of rights, but, in Principle VII they also ascribe to the notion that all these rights "derive from the inherent dignity of the human person". Thus, Principle VII explicitly recognizes that it is the individual and not the state which is the final arbiter and primary source, of all basic human rights. Principle VII also provides rather specific guidelines on such important problems as the rights of religious believers and the status of ethnic minorities.

Principle VII also commits Helsinki signatories to "confirm" the right of the individual to know and act upon his rights and duties in this field" (of human rights), thereby providing specific authority for private individuals and groups such as the Helsinki Monitors to evaluate the actions of their governments in fulfilling the provisions of the Final Act.

At the same time, Principle VII has become an international code of conduct to which all CSCE states are obliged to adhere. Under this code they are also obliged to assure the observance of the other states. No country has a perfect record, but a willingness to admit shortcomings and take corrective actions are essential first steps which all participating states are bound to take to fulfill their Helsinki commitments. The failure of the Soviet Union and most of its allies to take those steps can only serve to weaken the CSCE process and detente in Europe.

ROMANIA

A major element in Romania's human rights performance is the annual review by the U.S. Administration and Congress of Romania's eligibility to receive preferential or Most Favored-Nation (MFN) trading status. The granting of such status assures lower tariff rates for Romanian exports to the United States and U.S. credits and investment guarentees. Romania's ability to obtain MFN has been made contingent on its emigration practises under the terms of Section 402 (Jackson-Vanik Amendment) of the 1974 U.S. Trade Act. When the issue comes up for yearly review, broader human rights concerns traditionally are aired and are a significant ingredient in the final U.S. decision. Not surprisingly, most human rights improvements are registered at the last minute by the Romanian Government to coincide with the summer months of the MFN review. In 1982, increasing evidence of a poor, if not deteriorating, human rights situation, particularly in the areas of emigration, religious liberty and minority rights prompted sharp criticism from the Reagan Administration and the Congress. Although MFN eventually was renewed for another year, erosion of support for its extension was evident. Renewal occurred only after Romania

HUNGARIAN STUDIES NEWSLETTER

This periodical, published three times a year, also observes its tenth anniversary of continuous publication. Many more years of the same high level editorial achievement is our wish at the threshold of the second decade.

The Editor,
Carpathian Observer

The *Hungarian Studies Newsletter* systematically surveys Hungarian-related English language books, articles, meetings, research in progress, exchange programs, and scholarly works in general, extensively reported on Transylvania-related publications. This unique periodical, founded and edited by *Bela C. Maday* (4528-49th Street, N.W., Washington, DC 20016) and published by the *American Hungarian Foundation* (P.O. Box 1084, New Brunswick, NJ 08903) can render valuable service to those who have no time to follow scattered Hungarian related publications, but still want to keep informed. Az examples the Spring 1981 and the Spring Summer 1980 issues contained the following 8 reviews: *Transylvania and the Theory of Daco-Roman-Rumanian Continuity* by Louis L. Lóte; *Dávid Ferenc és az Unitárius Vallás* by Béla Varga; *A Transylvanian Legacy* by Frederick H. Barth; *Transylvania and the Hungarian Rumanian Problem* by Anne Fay Sanborn and Geza Wass de Czege; *Wittness to Cultural Genocide* by the American Transylvanian Federation; *Transylvania: The Political Economy of a Frontier* (dissertation) by Sam Beck; *Accident and Necessety in Rumanian Nationalism* by Attila Kővári; *The Rumanian National Mystery: Myth Makers under the Microscope* also by Attila Kővári.

Appendix No. 2.

COMMITTEE OF TRANSYLVANIA, INC. (ERDÉLYI BIZOTTSÁG.) Founded 1956

LOUIS L. LÖTE, PRESIDENT
216 Yarmouth Rd.
Rochester, N.Y. 14610

Central Office:
2808 East 124th Street
Cleveland, Ohio 44120

Translation from Hungarian of an article which appeared on page 21 of the samizdat publication "ELLENPONTOK" (Counterpoints), "assembled and disseminated in Transylvania, May 1982":

WE PROTEST!

The outraged reaction elicited by the Lancranjan book* - and the fact that the forces responsible for its publication overextended themselves - are well illustrated by the fact that the Transylvanian Hungarian intelligentsia has now, for the first time, chosen the route of collective protest and assumed the risks involved in such protest. While there have been past cases in which individuals (e.g.: /Károly/ Király,/András/ Sütő,/Lajos/ Takács) have submitted protests to the Party leadership regarding various collective grievances or human rights violations,this is the first instance of an organized, group protest. The intellectuals,who were (and are) commonly believed to have allowed their honor to be purchased at a ridiculosly low price,have in this case acted according to the dictates of their conscience by sending two protest documents to the Central Committee of the R/umanian/ C/ommunist/ P/arty/, or more precisely, to /President Nicolae/ Ceausescu himself.

The two documents are the result of separate initiatives.First,at the beginning of May,intellectuals in Cluj (Kolozsvár) signed a protest memorandum. The majority of the fourteen signers are reportedly established writers,philologists and critics, with the remainder consisting of other intellectuals.

For the time being, the names of the signers are being kept secret.All that has leaked out is that the two who initiated and organized the protest are Géza Szőcs and Marius Tabacaru, a piano teacher and the only Rumanian intellectual whose name appears on both protest documents.

A few days after the Cluj (Kolozsvár) protest,another document,similar in content but longer and more detailed, was prepared in Tirgu Mures (Maros - vásárhely), supposedly at the initiative of András Sütő. This memorandum was signed by thirty-six intellectuals, some of whom had already signed the prior Cluj(Kolozsvár) protest.

Both memoranda bring to light those statements in the Lancranjan book which are irreconcilable with the Party's officially proclaimed minority policies, and with the Constitution.

The number of signers could have been greater, had the organizers not decided upon quick, almost conspiratoral action, in order to complete and submit the protest documents before the state security apparatus learned of their existence.

So far, the state security apparatus has exhibited only its annoyance,and they have not slammed down on anyone yet. They are probably awaiting a decision in the matter by the Party. So are we.

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* Lancranjan, Ion. Cuvint despre Transilvania (A Word About Transylvania). Bucharest (Sport-Turism), 1982.

Committee of Transylvania, Inc. Appendix No.3.

MEMORANDUM

to the participants of the Madrid Conference examining the adherance to the Helsinki Agreements

We raise our voice to the peoples represented at the Madrid Conference for the survival of the Hungarians of Romania, numbering about two million. It might not be too late yet to stop the process which is threatening our existence and which is caused by the policy of the Romanian government.

Never before has the "romanianization" of Transylvania (Erdély) and the repression of our culture been carried out with such energy. Masses of Romanians from areas beyond the Carpathian Mountains have settled in places with a Hungarian majority and in through-and-through Hungarian districts and places - mainly in the cities. According to the official national statistics, the number of Hungarians stagnates. The Hungarian language school system is being removed step by step, the publication of books and magazines meets with ever increasing difficulties. Our language has been completely forced out of public life. The tendency to seclude us from other Hungarian-speaking areas abroad has become increasingly forceful. (The relations between Hungary and Romania are below minimum level in all areas).

The natural development of our ethnic awareness is made difficult by all conceivable means. Generation after generation is brought up in the chauvinist atmosphere brought about by the propagation of the supremacy of Romanian history and culture and desparagement of our values. There is no way to get to know one's own ethnic background and even the true facts of the history of Transylvania. The state powers treat us as if we were enemies from within, particularly where intellectuals or workers are concerned. Intimidations by the security authorities are of common occurrence. If now we speak out in defence of our values we will be called chauvinists. We practically live as subordinate citizens in Romania. Even our professional career is barred by the fact that we are Hungarians.

We have no means of defence. The individual is defenceless in the face of arbitrary state rule; the institution safeguarding our interests, which had been established by our community, ceased to exist in 1949, when the Hungarian Ethnic Alliance was liquidated. Our life is therefore marked by a lack of both individual and collective rights, which are inseparable in our cause.

The fact that existing international agreements do not deal with the collective rights of the minorities reflects most deeply on the chances for bringing about a change of our situation. The approach generally taken in international usage is to focus all attention on the problem of human rights, being unmindful of the values borne by the ethnic minority as a community, on account of its traditions, in its own culture and collective identity. These values would deserve special legal protection. For while it is natural for the majority - because of its size and power - to have executive authorities paying favourable attention to its own particular values, the minority would require the authority of collective self-defence for the same purpose. This explains why all endeavours to secure human rights to the minorities without paying attention to the fact that they are communities - regardless of the original intention of the endeavours - deliver the minorities into the hands of the majority.

Having taken all this into account, we find that in order to change our outlawed situation it would be fundamental for the international agreements reached at the Madrid Conference to put our survival as a minority on record and at the same time our human rights, safeguarding the upholding of our values:

1. We should be granted the right to regard ourselves as bound by unbreakable bonds to the all-Hungarian people and the analogous right should be granted to all ethnic minorities.

2. We should be granted the right to preserve our ethnic characteristics and collective values.

3. We should be granted the right to found an independent body protecting our interests

4. These rights - in our view - could only acquire real validity if an independent,unbiassed international commission were formed which would examine our situation, make decisions regarding certain debated issues and which would also have supervisory functions.

+++

We have attached our suggested programme to this memorandum in which we endeavoured to present the most important demands to the Romanian government, in the interest of settling our situation.

Transylvania, in September 1982

The_editors of the underground
periodical "ELLENPONTOK" (counterpoints)
the anonymity of which, we are sorry
to say, need not be explained in
the Romania of our days, where
critics become untraceable persons or
victims of "accidents".

Committee on Transylvania, Inc. Appendix No.4.

PROGRAM PROPOSAL

Of the editors of the underground paper "Ellenpontok" ("Counterpoints") in order to change the plight of the Hungarians in Rumania, who are peprived of their civil rights.

The Hungarians of Transylvania /and of Rumania in general/ today are going through, which is perhaps, the most critical phase of their long history, threatening their very existence. The rights which would guarantee their survival are only illusory and serve as cover-up for the practical and actual handling of the Hungarian problem by the authorities and which is radically different from the official statements and speeches.

Therefore:

I. We demand, that we should be considered an inseparable part of the Hungarian nation and as such, being at the same time Rumanian citizens, permitted to cultivate our relationship with The People's Republic of Hungary, without any hindrance, on an institutional as well as individual level.

1. Every Rumanian citizen should be able to travel to the Hungarian People's Republic without any restriction.

2. The orders should be rescinded, according to which we are not permitted to put up our visiting foreign friends in our homes. (This order punishes us, Hungarians most.)

3. Our cultural institutions as well as the different cultural groups active within those institutions should be free to invite Hungarian organizations and individuals from the neighboring countries.

4. Until the Hungarian universities are restored in Transylvania, the Hungarian students of Rumania should be allowed to study in Hungary; after their return they should be employed according to their qualifications acquired in Hungary.

5. The Rumanian custom authorities should stop the almost customary arbitrary confiscation of the Hungarian cultural publications.

6. Using relay stations, the broadcasting and receiving of the Hungarian (Budapest) television program should be extended to the entire territory of Transylvania.

7. It should be made sure that Hungarian books published in the Hungarian language area (Hungary, Czechoslovakia, Yugoslavia and the Soviet Union) are available also in Rumania.

8. It should be possible to subscribe without any restriction to all the newspapers and periodicals published in Hungary and these publications ordered there should reach the addressee in Rumania.

9. The natural interest of known intellectual and political personalities in Hungary in, and their justifiable concern with, the fate of their fellow-Hungarians in Rumania should not be considered as meddling in the internal affairs of Rumania.

II. We demand that the right of the Hungarians, living in Rumania as an ethnic community, concerning institutional self-preservation and cultural autonomy, should be guaranteed.

1. As an amendment to the 22. paragraph, the constitution should contain the right of the nationalities to form their organizations to safeguard their interests, whose office-holders would be elected in a democratic process by the members of the organizations.

2. Such organization of the Hungarians in Rumania should have the right to direct the Hungarian cultural life and educational policy, to control the cadre policy as related to Hungarians, to take care and protect monuments, buildings and art relics connected with the Hungarian historical past.

3. Every Hungarian in Rumania should have the right to join this organization, whose aim is to protect the interest of the Hungarians, irrespective of the part of the country, in which he or she lives [i.e. not only Transylvanians].

4. The organization should have its own press organ.

5. The story of the Hungarian People's Federation should be written [a representative organization of the Hungarians in Transylvania till 1949. Ed.] and the true circumstances of its liquidation in 1949 should be made public.

6. All leaders of the Hungarian People's Federation who were imprisoned should be rehabilitated publicly, together with those, who were sentenced to prison in the past thirty years, because they attempted to protect the interests of the Hungarians; and those sentences should be invalidated.

7. The fact should be officially acknowledged that our culture is an integral part of the Hungarian culture and not some kind of a branch of the Rumanian culture.

8. They sould set up, within the framework of the Ministry of Education and that of the different county school-boards, departments for the nationality education of nationality students in their own language, and they should be on equal footing with the ones handling the Rumanian education.

9. They should restore the Hungarian kindergartens and all other Hungarian educational institutions. These should guarantee potentially for the Hungarian children the education in their native language from the kindergarten on to high schools [secondary schools] and vocational schools in all counties where Hungarians live.

10. They should institute Hungarian orphanages and special schools for retarded and handicapped children where they are taught in their own language, there by putting a stop to a procedure now generally practiced by which these children are placed in Rumanian institutions in order to Rumanize them.

11. They should enforce the 6/1969 law concerning the status of the teaching personnel, which states that a pedagogue who does not speak the language or speaks it inadequately, cannot teach Hungarian classes.

12. The continuance of a Hungarian school with Hungarian classes is contingent upon the number of attending children. There is an obligatory minimum requirement. If the number of children in the class is below this number, the Hungarian classes are integrated into Rumanian schools. They should lower this requirement in order to keep the Hungarian schools in the villages open. We should adopt the exemplary educational policy of Yugoslavia, which sets up a school for nine students of any nationality group in the country. The Rumanians should apply the same standard in this respect to Hungarian children as they do to the Rumanian children.

13. In Hungarian schools the history and geography of Rumania should be taught in Hungarian.

14. The Hungarian universities should be restored and in each special professional field educational institutions of higher learning should be established.

15. The sphere of activity of the nationality publishing house should be broadened and its financial funds increase, so that they could apply themselves to the task of publishing books in the language of the nationalities, because it is totaly neglected by the rest of the publishers.

16. The Hungarian press and the Hungarian radio and television programs should be free to analyse and discuss the vital problems of the Hungarians in Rumania.

17. The Rumanian authorities should put a stop to their habitual attitude of treating the Hungarian-intellectuals as suspicious individuals. They should not be subjected to surveillance and harassment by the security forces just because they happen to be Hungarians.

18. An effective freedom of religion should be guaranteed, also the true internal autonomy of each church.

III. We demand self-administration for territories with predominantly Hungarian population and an equitable part in the administration on this country.

1. Let the Szekely-land obtain, this time a true, autonomy, which would extend to its entire territory.

2. A stop should be put to the practice, whereby villages and other communities with an all Hungarian or predominantly Hungarian population are managed by Rumanians [president of the council, president of the farmer's co-operative, party secretary, police etc.]

3. The Hungarians should have their representation, according to their numerical ratio, in the legislative body of the country, and the party membership but

also in the economy management, the party leadership on all levels, and in the government.

IV. We demand that the artificial alteration of the ethnic composition of greater Transylvania (historic Transylvania, the Parts (Partium and Banat) should be stopped at once.

1. The forced and massive re-settling of the population of Moldavia and Wallachia into Transylvania should cease.

2. The authorities should give up their effort to try to change the population of Hungarian villages into mixed population.

3. The practice by which newly graduated Hungarian intellectuals (specially engineers and physicians) are forcibly transferred to Moldavia and Wallachia, should be terminated.

V. We demand that the development of the ethnic awareness in the Hungarians of Romania and its cultivation be made possible.

1. With regard to our past.

a) Hungarian mother tongue pupils should be given a chance to become acquainted with the true historical facts regarding their own ethnic background and Romanian pupils should also be instructed about these facts, at least to a minimum degree.

b) The publications dealing with history should objectively discuss the history of Transylvania. The exhibits in the museums should not be used in order to conceal or belittle the role of the Hungarians in the past and their existence today.

c) The ideological function of the Daco-Romanian continuity should be discontinued (This theory should remain what in fact it is: a working-hypothesis of the historians).

d) Taking an active interest in the history of Transylvania should not be regarded as a manifestation of revisionist tendencies.

2. With regard to our present situation:

a) Statistical data about the present situation of the nationalities should be made available to everyone.

b) It should be permitted for anyone to engage in sociological research pertaining to the nationalities.

c) Independent of the language of instruction, every school should inform its pupils about the situation of the nationalities in the country and about their culture.

d) Books on the life of the nationalities in Romania, their national customs, their art etc. should also be published in the Romanian language.

e) Rules and regulations concerning the use of derisive names should also be made applicable concerning names used to deride Hungarians (this is to say, names such as "bozgor" and "hazatlan" should be regarded equivalent e. g. with "olah").

VI. We demand that in all areas of greater Transylvania inhabited by Hungarians the Hungarian language be treated equal with the Romanian language in official as well as in everyday use.

1. The use of the Hungarian language should truly be possible in public administration and in the offices of the various authorities. Hungarian language petitions addressed to the same should be accepted, as stated in paragraph 22 of the Constitution. The identity cards, the passports, and the official form letters etc. should be bilingual.

2. In the above areas, workers employed in the fields of health care, commerce and public services should be familiar with the Hungarian language.

3. In areas with a Hungarian population, Hungarian language instruction should be obligatory in Romanian schools as well. (During the time of the Horthy-regime it was compulsory fot the Hungarian children living in Northern Transylvania to learn Romanian).

4. The names of towns and streets, shop signs, factories and public institutions, the names of consumer products, museums etc. should all be bilingual in the above areas.

VII. We demand that the Hungarians of Romania should have the same career opportunities as the Romanians.

And end should be made to the practice according to which the professional career and the engagement for a position are not determined by professional skills but, above all, by the ethnic background and to the practice that companies only employ the number of Hungarians needed to prove equality in the statistics, the percentage of Hungarian workers in the company being determined by the overall percentage of Hungarians in Romania.

VIII. We demand that our environment, reflecting our historic and cultural past, be protected.

1. The traditional townscape of the Transylvanian cities should be preserved.

2. Buildings of cultural or historic significance should not be pulled down.

3. All worthy objects should be registered as cultural properties.

4. The environment of Hungarian cultural monuments should not be changed in a way as to show the monument to a disadvantage.

5. A basis for the rescue of decaying cultural monuments should be established.

IX. We demand that the natives of Moldavia still using the Hungarian language, the Csango, be again permitted to declare themselves Hungarians and to participate in Hungarian cultural life —despite the fact that the present statistics are made to show that all of the Csango are Romanian speaking.

1. They should be permitted to join the body representing the Hungarian interests.

2. They should be permitted to freely speak their mother tongue.

3. Schools offering instruction in their Hungarian mother tongue should be opened again.

4. They should have the right to chose the language of their religion freely.

5. The Csango should no longer be segregated, their relationship with the other Hungarians should no longer be obstructed and the visitors to the Csango villages should not be driven out any longer.

X. We demand that an independen, unbiassed, international commission be formed (including Hungarians and Romanians) to examine our situation and make decisions regarding all debated issues related to our destiny.

***

The above information, which has been compiled in the interest of two million Hungarians, only provides a partial cross-section of the country's problems: those touching upon the Hungarians (though they are only outlined and imcomplete). We are quite aware that the solution of the above problems can not be achieved without paying attention to general problems. It is our primary task however, to name these problems, for noone will do this for us. The open discussion of common matters would not be our task alone and maybe not even primarily our task but first and foremost that of the Romanian population.

Yet we do not consider our step premature. This wall of silence within must at last be removed: the enormous, motionless and seemingly immovable block made up of arbitrary rule and the absence of rights, which haunts every Romanian citizen like a constant feverish nightmare (exept those who profit from it) must be broken down for it is ultimately responsible for the catastrophic situtation, in all respects, our country is in today. In this regard, it is our conviction that our proposed programme, which to "some" might appear to be directed against the Romanians, in reality supports the interests of the Romanian nationals as well, as lawfullness would perforce also extend their rights.

The Trianon (1920) and the Paris (1947) peace treaties totally disregarded the rights for national self-determination of Hungarians. To illustrate the selectiveness in observing this precious right the Trianon treaty united 99% of all Rumanians in new, enlarged Rumania, 95% of all Serbs and 98% of all Croats in new Yugoslavia, 92% of all Slovaks and 100% of all Czechs in new Czechoslovakia. But only 68% of all Hungarians were allowed to live in new dismembered Hungary; 32 out of 100 Hungarians were detached from the bulk of the nation and placed under foreign rule in these neighboring countries, as a result of the newly drawn boundaries. The Paris treaty has repeated the same errors.

Comments
on
"THE ETHNIC HUNGARIAN SITUATION"
included in the
Staff Report
of the
Committee on Foreign Relations
United States Senate
April 1983

1/ The majority of the population of Transylvania is not ethnic Hungarian any more. But I agree with the count; there are about 2.5 million Hungarians in Transylvania. (Page 19.,Paragraph 1.)

2/ The report states: "Control of the region has swayed between Hungary,Romania and various empires. Hitler awarded Transylvania to Hungary in 1940..." To arrive to a more balanced picture of "the historical battle over Transylvania" the following could be added to the text: "Since the formation of Hungary 1087 years ago,Transylvania had been part of Hungary. During the Turkish occupation of half of Hungary in the 16th and 17th centuries, for 150 years, Transylvania,as an independent Hungarian principality was, in essence, Hungary itself. First only the peace treaty of Trianon (1920) awarded Eastern-Hungary, includingTransylvania, to Rumania as a pre-negotiated reward for Rumania's changing side during World War I from the Central Powers to the victorious Allied Powers. Then in 1940 the Vienna Arbitration to which both parties, Hungary and Rumania committed themselves in advance, returned the northern part of Transylvania with Hungarian majority back to Hungary. And again in the Paris peace treaty (1947) Northern- Transylvania, mostly on Russian insistence, was given to Rumania." (Page 19, Paragraph 1.)

3/ Besides Roman Catholics and Reformed (Calvinists) there are a good number of Hungarian Lutherans and Unitarians in Transylvania. The latter denomination was established in Transylvania in the 16th century when the National Assembly proclaimed religious freedom, first in Europe preceding the 30 years Religious War by more than a half-a-century.(Page 19.,Paragraph 2.)

4/ The new Rumanian pamphlet, "The Truth about the National Question in Romania" is undoubtedly a propaganda product. Preliminary examination of the chapter "Broad opportunities for education in one's own language", rather shows that Rumanian data on Hungarian education-if put in perspective,- has the opposite meaning than what the pamphlet wants to prove.

The text states that "the possibilities of the nationalities to be taught in their own languages have constantly developed in step with the progress made by the Romanian school in the past decades". The fact -based on previous Rumanian statistical data - is that Hungarian schooling has been in a consistent decline in the last 20 years. (Page 19,Paragraph 4.)

A thorough examination of the content of the pamphlet is in process.

5/ On the Rumanian inquiry for "how to solve the public relations problem regarding the ethnic Hungarians" - I believe - the best advice should be: radically improve the treatment of Hungarians and the image will improve with it. The Hungarian problem should not be seen as an inconvenience to the prestige of Rumania which can be solved by a public relation gimmick, but as a major violation of the human and national rights of Hungarians. (Page 19., Paragraph 4.)

6/ As to the "memorandum proposing a course of action" to improve the plight of Hungarians in Rumania (published in English in the 1982/83 Winter issue of the Carpathian Observer) and requesting the Madrid Conference "to take steps to grant the ethnic Hungarians(in Transylvania) the right to regard themselves as bound to the entire Hungarian people" I would like to add a more concrete statement to describe the relativ status of Hungarians in present day Hungary and Hungarians living in Rumania, Czechoslovakia and Yugoslavia:

There is only one Hungarian nation. All the Hungarians who are separated from each other by the new country borders arbitrarily drawn in the peace treaty of Trianon in 1920, had been members of the Hungarian nation and citizens of Hungary for more than a thousand years and they remain members of the Hungarian nation whether they live now in Hungary or in one of the neighboring countries. (Page 20., Paragraph 2.)

7/ The Romanian argument "...that all (restrictive) regulations apply equally to ethnic Romanians and to ethnic minorities" may seem true at its face but, in essence, is false.

For instance, the "Romanian law (which) forbids the accomodation of foreign friends in the homes of Romanian citizens, and requires that foreign friends (and relatives) register with the government and stay in Romanian hotels". But only Hungarians have a large number of foreign friends and relatives because millions of Hungarians in Hungary have that kind of relations with Transylvanian Hungarians. Thus it is evident that the hotel law affects Hungarians the most and worst, and the effect is a radical curtailment of visitation and communication between Hungarians in Rumania and Hungarians coming from Hungary. Those few Hungarians who can afford to pay for the Rumanian hotels, are obliged to break up the rare and much cherished togetherness with Hungarian relatives and friends in Transylvania in order to catch the last bus or train taking them to the nearest hotel, many times in a distant city. In the morning another trip takes the visitor back to the friends' home, only to repeat the same trip again in the evening, and eventually for many more days. No wonder that the law that affects Hungarians the worst, is thought to have been brought for that purpose. This limitation represents an untenable violation of one's human right to stay where ever the person is welcome if once,in the possession of the visa,his/her stay in that foreign country is legitimate.

Another example is the strict curtailment of the importation of foreign newpapers, magazines and books. With this limitations only Hungarians are deprived from their cultural rights, since the number of Rumanians who could read a publication in foreign languages is minimal compared to the 2.5 million Hungarians whose mothertongue is Hungarian, yet they are barred from reading the newspapers, magazins and books, fiction or non-fiction, published by their own nation over the border and written in their mothertongue. These publications are only foreign to the Rumanians but not to the Transylvanian Hungarians.

These are just two examples how a Rumanian law can effect Hungarians detrimentally, even so that the law, allegedly or truly, has not been brought against them. (Page 20., Paragraphs 3.and 4.)

8/ It would be difficult to believe that "every Hungarian child has an equal opportunity to study in his language" as Rumanian officials claim. Discrinative minimum quotas for opening Hungarian classes still exist and the rati of Hungarian school teachers and pupils to the total number of these in entire Rumania has tumbled down from an average 10% in the 1955/56 schoolyear to 5% in the 1982/83. This is a preliminary finding based on statistical data included in pamphlet "The Truth about the National Question in Romania" compared to the data of "The Hungarian Nationality in Romania" both published in Bucharest in 1982 and 1976, respectively.

The overall proportion of the Hungarian population of Rumania is an estimated 11% of the total. The Rumanian official statistics admits only 7.9% which is certainly slanted. Yet the Hungarian educational statistics is less than the half of the ratio of the Hungarian population. The figures tend to indicate that more than one-third of the Hungarian children and youth has never had the chance to attend Hungarian schools. (Page 20,21)

9/ The whereabout of the arrested editors of Ellenpontok, the Transylvanian samizdat paper is still not ascertained. In view of the Rumanian Foreign Ministry's flat denial of their being taken in custody, the only credible proof of their freedom could have been a personal meeting with the editors by you and your associates. (Page 21., Paragraph 1.)

10/ The Hungarian Reformed Bishop Nagy (not Naj as the report states) has been a well known collaborator with the Rumanian communist government for years. He was member of the Rumanian delegation which came to the United States a few years ago to participate in a public relation campaign to firm up Rumania's image already then blurred by grave human right violations.

That your "discussion with the Bishop showed that he had coordinated closely his statements with those of the Foreign Ministry" indicates that other Rumanian statements during your trip were manipulated in order to make the situation in Rumania look better than it is. Of course, this sort of coordination works against the credibility, in general, of Rumanian official explanations.

IN SUMMING UP my assessment of the Staff Report it is good to know that the Committee of Foreign Relations of the US Senate does inquire into the human right issues in US relations eith Rumania. It is reassuring that the Staff Report took up the ethnic Hungarian situation in Rumania and possesses a good general knowledge about it. I consider it a positive result of our efforts and those of other Transylvanian organizations that "the Romanian Government is increasingly sensitive to the international concerns over the treatment of the ethnic Hungarian minority" - as the Executive Summary of the Staff Report states it (Page 1).

It is fervently hoped that our struggle for the human and national rights of Transylvanian Hungarians has reached a point from where on a new phase might follow, namely the period of actual improvements provided that the Rumanian Government starts to rethink its all pervasive super-nationalism with regard to national minorities and gradually accept the idea of equality between Rumanian, Hungarian and German ethnic groups in their common homeland Transylvania. If this change happens, I am glad that it happens on our government's influence.

May 1983

Louis L Lote

Louis L. Lote
president,
Committee of Transylvania, Inc.

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United States Senate
WASHINGTON, D.C. 20510

July 8, 1983

Mr. John J. Salmon, Chief Counsel
House Ways & Means Committee
1102 Longworth Building
Washington, D. C. 20515

Dear Mr. Salmon:

Enclosed herewith is material which has been provided to me by Mr. Lucian V. Orasel, residing at 38 West 75th Street, New York, New York 10023, regarding the extension of Most Favored Nation Trading status to Romania.

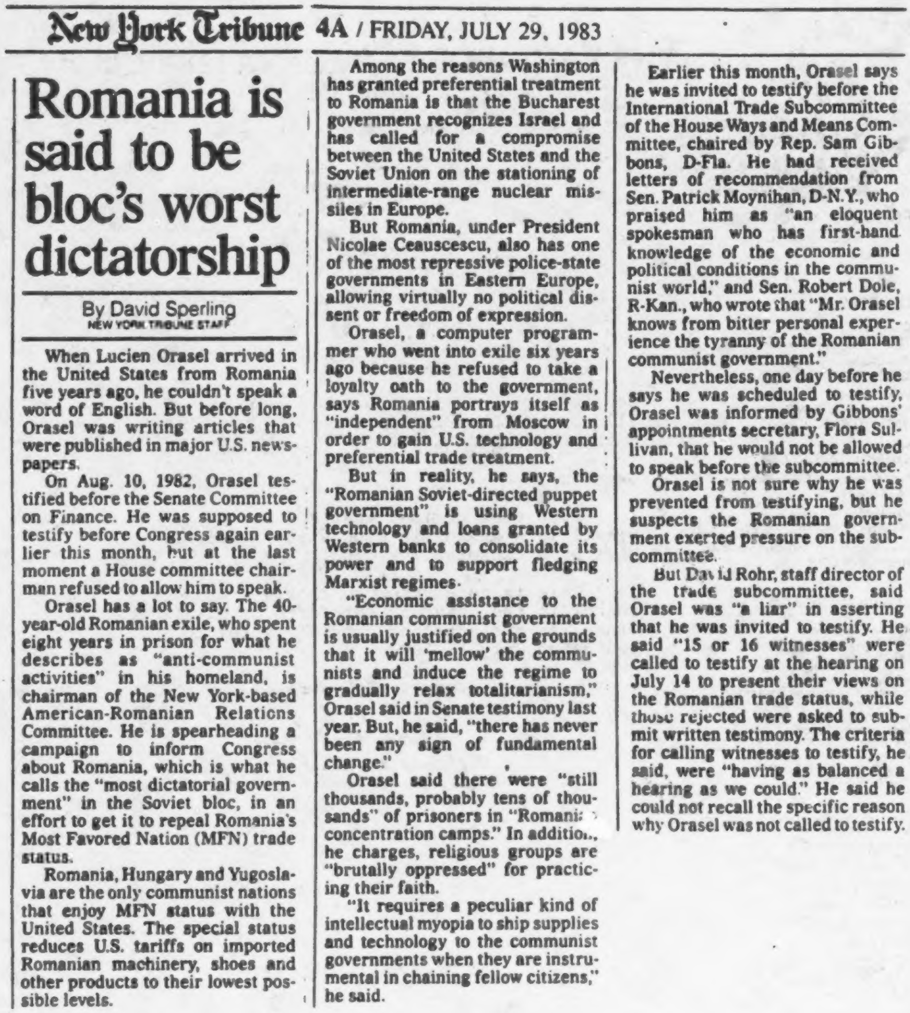
Last year, Mr. Orasel testified before the Senate Finance Committee on this topic, and a number of Senators made favorable comments on his presentation.

I understand that Mr. Orasel will be appearing before your committee on July 14, 1983, at a hearing of the Subcommittee on Trade. I hope that you will extend to him all possible courtesies.

Sincerely,

Alfonse D'Amato

Alfonse D'Amato
United States Senator



New York Tribune 4A / FRIDAY, JULY 29, 1983

Romania is said to be bloc's worst dictatorship

By David Sperling
NEW YORK TRIBUNE STAFF

When Lucien Orasel arrived in the United States from Romania five years ago, he couldn't speak a word of English. But before long, Orasel was writing articles that were published in major U.S. newspapers.

On Aug. 10, 1982, Orasel testified before the Senate Committee on Finance. He was supposed to testify before Congress again earlier this month, but at the last moment a House committee chairman refused to allow him to speak.

Orasel has a lot to say. The 40-year-old Romanian exile, who spent eight years in prison for what he describes as "anti-communist activities" in his homeland, is chairman of the New York-based American-Romanian Relations Committee. He is spearheading a campaign to inform Congress about Romania, which is what he calls the "most dictatorial government" in the Soviet bloc, in an effort to get it to repeal Romania's Most Favored Nation (MFN) trade status.

Romania, Hungary and Yugoslavia are the only communist nations that enjoy MFN status with the United States. The special status reduces U.S. tariffs on imported Romanian machinery, shoes and other products to their lowest possible levels.

Among the reasons Washington has granted preferential treatment to Romania is that the Bucharest government recognizes Israel and has called for a compromise between the United States and the Soviet Union on the stationing of intermediate-range nuclear missiles in Europe.

But Romania, under President Nicolae Ceauscescu, also has one of the most repressive police-state governments in Eastern Europe, allowing virtually no political dissent or freedom of expression.

Orasel, a computer programmer who went into exile six years ago because he refused to take a loyalty oath to the government, says Romania portrays itself as "independent" from Moscow in order to gain U.S. technology and preferential trade treatment.

But in reality, he says, the "Romanian Soviet-directed puppet government" is using Western technology and loans granted by Western banks to consolidate its power and to support fledging Marxist regimes.

"Economic assistance to the Romanian communist government is usually justified on the grounds that it will 'mellow' the communists and induce the regime to gradually relax totalitarianism," Orasel said in Senate testimony last year. But, he said, "there has never been any sign of fundamental change."

Orasel said there were "still thousands, probably tens of thousands" of prisoners in "Romanian concentration camps." In addition, he charges, religious groups are "brutally oppressed" for practicing their faith.

"It requires a peculiar kind of intellectual myopia to ship supplies and technology to the communist governments when they are instrumental in chaining fellow citizens," he said.

Earlier this month, Orasel says he was invited to testify before the International Trade Subcommittee of the House Ways and Means Committee, chaired by Rep. Sam Gibbons, D-Fla. He had received letters of recommendation from Sen. Patrick Moynihan, D-N.Y., who praised him as "an eloquent spokesman who has first-hand knowledge of the economic and political conditions in the communist world," and Sen. Robert Dole, R-Kan., who wrote that "Mr. Orasel knows from bitter personal experience the tyranny of the Romanian communist government."

Nevertheless, one day before he says he was scheduled to testify, Orasel was informed by Gibbons' appointments secretary, Flora Sullivan, that he would not be allowed to speak before the subcommittee.

Orasel is not sure why he was prevented from testifying, but he suspects the Romanian government exerted pressure on the subcommittee.

But David Rohr, staff director of the trade subcommittee, said Orasel was "a liar" in asserting that he was invited to testify. He said "15 or 16 witnesses" were called to testify at the hearing on July 14 to present their views on the Romanian trade status, while those rejected were asked to submit written testimony. The criteria for calling witnesses to testify, he said, were "having as balanced a hearing as we could." He said he could not recall the specific reason why Orasel was not called to testify.

FORGING THE POLITICS OF SURVIVAL

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July 8, 1983

Senate Foreign Relations Committee
1113 Dirken Building
Washington, D.C. 20510

Gentlemen:

Please be advised that Mr. Lucien V. Orasel is a member in good standing of the East Side Conservative Club.

This is to advise you that we fully concur in the opinions set forth by Mr. Orasel in the attached copy of letter to you dated July 1, 1983.

Very truly yours,

Thomas A. Bolan

Thomas A. Bolan
Chairman

AMERICAN ROMANIAN
RELATION COMMITTEE

P.O.Box 1291
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New York,N.Y. 10023
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July 1,1983

Senate Foreign Relations Committee
1113 Dirksen Building
Washington, D.C. 20510

Dear Sirs:

I pray you will read my letter very carefully. I am convinced that the future security of Romanian people, their families and the entire nation may depend on how you respond to it.

In 1944 the Soviet Union led by Stalin, expanded its empire, not only through the annexation or political domination of adjacent lands, but also by extending its influence over foreign territories across the seas.

Year 1944 has since become a set expression in the Romanian language. It means arrests at a rate of hundreds of thousands a year, a kind of plague in which no one knows who will be next.

From time to time in the last fifty years, both Democratic and Republican administration have practiced "peaceful trade" with the Soviet Union and its communist satellite countries, including Romania. This transfer of free enterprise technology by the United States and its European allies, has created a formidable economic and military power. In this "peaceful trade" there was a transfer of technology to produce military good. Not only were crew served and automatic weapons sold, but also the technology with which to manufacture these weapons was negotiated. "Peaceful trade" became the carrier vehicle by which equipment technology and skills were transfered from the West, mainly the United States, to communist countries.

Free trade is eminently desirable in a free world of noncoercive societies, but free trade with a statist system is not neutral. That "peaceful trade" is a myth. To the communist countries all goods are strategic. All this creates and maintains an enemy that we annually spend over $160 billion to defeat against.

The communist countries have made masterly use of a word "detente," and the Romanian Soviet-directed puppet government cites and preaches the great word of "independence" in Washington to gain American technology. The Romanian communist government's hypocrisy is its most powerful tool; it used it to destroy its enemies and divert the attention from its activities in perpetuating human rights violations on a stupendous scale. There is also no guarantee that United States strategic-materials imported by Romanian communist government will not be shipped on to the Soviet Union.

Persecution of Romanians, Romanian Orthodox, Romanian Baptist, Romanian Catholics Byzantine Rite, and Romanian minorities.

Economic assistance to the Romanian communist government is usually justified on the grounds that it will "mellow" the communists and induce the regime to gradually relax totalitarianism. This has been the argument for over fifty years. There have never been any signs of fundamental change. And since this economic assistance is precisely the means by which the communist military establishment is maintained, it is well to emphasize both the continuation of repression by the Romanian communist authorities and the absence of "mellowing."

Internal actions confirm that Romanian communist government is acting exactly as we would expect a statist regime to act. There are still thousands, probably tens of thousands in Romanian concentration camps. The repression taxes several forms. Firstly, religious groups are brutally oppressed for no more than their wish to practice the natural right of worship. The minorities have recently been in the news, but the Baptists have long suffered persecution, as have the Romanian Orthodox and Catholics-Byzantine Rite. The case of Reverend D. Calciu has aroused considerable interest in Europe (but not in the United States where the wire services are indifferent to details of communist persecution).

The Committee for Freedom and Justice has stated: "His worthy noting that all of the 'Human Rights' propaganda is directed against communist-targeted governments, while the hundreds of millions reduced to slavery and penury, or driven from their homes or murdered by communist dictatorships around the world are simply written off by these highly one-sided critics. Those who attempt to defend their countrymen from this fate are instead, attacked as shameful violators of human rights.

Dear Sirs, no one has ever presented evidence, hard evidence, that trade leads to peace. It is true that peace leads to trade. But that's not the same thing.

Communism is not mellowing. Concentration camps are still there. The mental hospitals take the overload. Persecution of religious groups continues. Harassment of people continues as it did before. Freedom and liberty do not exist, and it has resulted in deprivation of human rights for millions of people.

As of 1982, the world has before it a clear history of sixty-five years of documented communist terror: formation of unrest, crises, conflict and aggression; deceit; lies; oppression; the detention of innocent people in jails and mental institutions; marders; discrimination against non-communists; the cruel suppression of governments; the unjust confiscation of property; pitting of children against parents, encouraging one to inform on the other; the separation of families; the suppression of monastaries and convents;

the closing of churches and church-related schools; the execution of bishops, opponents and countless others; and the enslavement of millions.

The plain fact is that irresponsible policies in the past have built us an enemy and maintain that enemy in the business of totalitarian rule and conquest. It requires a peculiar kind of intellectual myopia to ship supplies and technology to the communist governments when they are instrumental in chaining fellow citizens.

Communist technical independence is a powerful instrument for world peace, if we want to use it. It is the most humane weapon that can be conceived. We have always had that option. We have never used it. That, we beg you, Dear Sirs, do not grant the status of most favored nations to the Romanian Soviet-directed communist government.

Sincerely yours,

Lucien V. Orasel

Lucien Orasel
Chairman

1776 CONSERVATIVE CLUB

Nancy Jane Dzupin
Chairman

John Taylor Gatto
First Vice Chairman

Benton Cole
Second Vice Chairman

Nancy W. Stevenson
Secretary

Lucien Orasel
Treasurer

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Joseph A. Lavezzo
Brian Lynch
Hon. Howard Lim, Jr.

July 7,1983

Senate Foreign Relations Committee
1113 Dirksen Building
Washington, D.C. 20510

Dear Sirs:

I would like to offer my support of Mr. Lucien Orasel and the letter he has written to our President and to you.

Mr. Orasel has expressed concern over the trade policies that built the Soviet Union and its satellite communist countries, including Romania.

We have known Mr. Orasel for over three years. He is a member of the "1776 Conservative Club" and we have worked extensively with him on political campaigns for President Reagan and Senator D'Amato.

We have found him to be knowledgeable in international affairs and an astute observer of communist activities.

His motivation is tremendous. In resistance to the communist government in Romania he wrote several letters to the United Nations describing how Romanian people were being deprived of their human rights. Mr. Lucien Orasel was himself persecuted and imprisoned for his activities against communism. The United Nations became interested in his fight for freedom and helped him to leave Romania and come to the United States.

Because of his personal experience with oppression, Lucien Orasel holds an extraordinary appreciation for freedom of thought and speech that most Americans take for granted.

1776 Broadway, Suite 1706, New York, New York 10019, (212) 586-4787

When Lucien chose the United States to be his new home, he studied with vigor United States' political legal and justice system in more depth than most citizens.

Mr. Lucien Orasel is asking you to deny most favored nation status to the Romanian communist government.

I agree with this point of view.

Our policy of subsidizing self-declared enemies is neither rational nor moral. The purpose of the detente according to communists, is to give the Soviets sufficient strength for a renewed assault on the West.

Incredibly, the Soviets are spending 85 percent more on defense procurement, than we are right now. And what's more, they are building three times as many strategic and tactical weapons as the United States.

In my opinion, our country, today, faces the gravest danger to its existence since the outbreak of the second World War.

We can stop the Soviets and its satellite communist countries any time we want to, without using a single gun or anything more dangerous than a piece of paper, denying them any kind of economical and technical assistance and stopping trade with them.

Sincerely yours,

B Paul Bales

Byron Paul Bales
Founder of "1776 Conservative Club"

AMERICAN-ROMANIAN
RELATIONS COMMITTEE

P.O. Box 1291
Ansonia Station
New York, N.Y. 10023
(212) 877-3674

The President of the United States
The Senate of the United States
The House Of Representatives
The Speaker of the House of
Representatives

July 17,1983

We, the Romanian exiles who have escaped from communism in our home country, wish to protest the granting of most-favored-nation status to the current Romanian government, so long as the government remains oppressive and denies basic human rights to its citizens.

We have asked to testify on this most-favored-nation status before the International Trade Subcommittee of the House Ways and Means Committee. We wish to advise the committee of the current status of human rights in Romania, since we are in contact with people who are living in Romania, and we can bring to the committee information on their experiences and our own.

We have written Representative Sam Gibbons, asking to testify before his subcommittee. We have sent him a letter describing what we wish to say. Representative Gibbons, however, has refused to let us speak before his subcommittee!

It was our understanding that a Congressional subcommittee held hearings to obtain information or public questions on both sides of an issue, not just one side favored by the chairman. We have, in fact, testified on this matter before the Senate Finance Committee. I am writing to you on behalf of the American-Romanian Relations Committee to ask if you can help at least to let us testify on this important matter.

We have been informed by Representative Gibbons' office that he decides who will testify before his subcommittee, and that his decision is final. We have been told by Representative Gibbons's office that, since Representative Gibbons favors continuation of the most-favored-nation status for the communist government of Romania, and we do not favor it, we will not be permitted to speak.

We are accustomed to such treatment in Romania. Some of us, including the undersigned, have suffered persecution in Romania for speaking up for human rights. We are used to arbitrary decisions by government officials. We did not expect this in America. Will you, too, deny us the right to speak?

Even the Romanian government was invited, by Senator Cranston, to testify on this legislation before the Senate. We are, many of us, American citizens, who are asking for the same privilege. Will you help us?

We relize you have no right, according to Representative Gibbons's office, to have any voice in who testifies before his subcommittee. We still believe America is free enough that we can appeal to you to try to change Mr. Gibbons's decision.

As former Romanians who undertand what life in Romania is like, and who are in contact with those still in Romania, we wish to bring to you our facts and our views on this important matter. Will you help us?

Sincerely Yours,

Lucien W. Orasel

Lucien Orasel
Chairman

1776 CONSERVATIVE CLUB

Nancy Jane Dzupin
Chairman

John Taylor Botts
First Vice Chairman

Benton Cole
Second Vice Chairman

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ADVISORY COMMITTEE

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Brian Lynch
Hon. Howard Lim, Jr.

July 9,1983

Senate Foreign Relations Committee
1113 Dirksen Building
Washington, D.C. 20510

Dear Sirs:

The 1776 Conservative Club supports Lucien Orasel's letter asking you to deny Romania most favored nation status. Mr. Orasel is certainly qualified to make a case against trade with Romania. Born and raised in Romania, he knows what is happening in that country. He experienced first-hand the oppressive government of Soviet-backed President Ceauscu and was imprisoned for several years for his anti-government activities.

We have known Mr. Orasel for over three years and have worked together on many club activities, including campaigning for Ronald Reagan's election as United States President.

During those activities and club meetings, Mr. Orasel has often described life under a communist government. He's made all of us stop and truly reflect on what a communist government would mean in our lives. Thank God, we live in a free country. Dear Sirs, he has made us more aware and concerned about communism. That is why this organization stands with him in asking you to deny most favored nation status to Romania.

Sincerely,

1776 CONSERVATIVE CLUB

Nancy Jane Dzupin

Nancy Jane Dzupin
Chairman

1776 Broadway, Suite 1708, New York, New York 10019, (212) 586-4787

38 West 75th Street
New York, N. Y. 10023
July 13, 1983

Letters to the Editor
The Tampa Times
202 South Parker Street
Tampa, Florida 33606

Gentlemen:

We, the Romanian exiles who have escaped from Communism in our home country, have asked to testify before the International Trade Subcommittee of the House Ways and Means Committee, in order to oppose the 'most-favored nation' trade status which the Congress has granted to the Communist government of Romania.

We oppose rewarding the Communist rulers of Romania by granting them access to Americantrade and technology on a most-favored nation status. We know what Communism is like, and many of us, including myself, were imprisoned in Romania for standing up for human rights. Even the New York Times has said 'under President Ceausescu's watchful eye, one of every three adults is to report on the other two in what is believed to be the most efficient secret police network in Communist Europe.'

But your Congressman, Mr. Sam Gibbons, refuses to even let us speak! We have asked to testify on this important matter, and we have sent Congressman Gibbons a letter outlining what we wish to say. He refuses to let us speak because we will criticize the Communist government of Romania, and he does not want to criticize them for fear they will stop letting Jews emigrate from Romania.

Yet we have testified before the United States Senate on this same matter, and our testimony has not stopped this emigration. Senator Dole has let us speak. The Senate is not afraid to allow criticism of the Communists of Romania, and apparently neither are the people in Senator Dole's home state of Kansas.

What is the matter with the people in Congressman Gibbons's home district in Florida? Will you help us? Will you ask Congressman Gibbons to let both sides of this question be heard? Why won't Congressman Gibbons allow us to speak about the tyranny of the Communists in our home country?

We know the power of Communism in Romania. We have suffered in Communist jails because the Communists would not let us speak freely. Are the Communists so strong, are they so beloved in Florida, that you, too, will not let us speak?

We appeal to you, the people of Congressman Gibbons's district, to give us our freedom of speech. Someone must speak out against favored treatment for this Communist tyranny in Romania, and we who have lived under Communism in Romania are the best qualified to do this. Will you ask your Congressman to let us speak? Will you help us?

Sincerely yours,

Lucian V. Orasel

Lucien Orasel
for the American-Romanian Relations Committee
Telephone: (212) 877-3674 (office)

Dear Mr CHAIRMAN FOR AMERICAN-ROMANIAN RELATIONS COMMITTEE

My name is MIHAI NEMET I-am live in U.S.A. CONNECTICUT FAIRFIELD CITY-06432-29 EUCLID AV. Ap.1.

Please, very, very much attention, TO THIS LETTER, and you personnel immediate, urgent action for deliver from JAIL on my wife, FROM RUMANIA WHICH FROM AUGUST-7-1982 to in JAIL, SITUATION my wife, WHICH IS very, very DANGEROUS and CRITICAL, and is very BIG PROBLEM.

- TO DATE -12/15/1982- SENTINCE FINAL IN SUPREM COURT, IN SUPREM COURT- SECTION 1-BUCHAREST-RUMANIA -10 (Ten) years from JAIL FROM, VEIGHT PRISON.

- AFTER FINAL SENTINCE IN SUPREM COURT IN RUMANIA ON 12/15/1982 - SISTER WIFE, ACTION IN SUPREM COURT WITH FIRST APPEAL, WHICH THIS APPEAL WAS REFUSE (REPULSIVE)

- AFTER FIRST REFUSE-REPULSIFE IN SUPREM COURT IN RUMANIA SISTER WIFE ACTION FOR SECOUND APPEAL, and this appeal WAS REFUSE (REPULSIVE) CALL me SISTER wife 6/4/82 and explain me, so SITUATION IS very, very, very dangerous.

My wife am CONVICT FOR ABSOLUTELY NOTHING FOR CORECTNESS, FOR EXCELENT WOMAN, WHICH IS my wife.

- RUMANIA GOVERNMENT are 100% CRAZY, STUPID, BARBARIAN, and BRUTISHNESS.

Because, ask me $ 23,000 for LIBERATION FROM JAIL on my wife, but for WHAT ask me more, more money WHEN my wife is very correct, very serious and perfect. Me lived in THE UNITED STATES FROM AUGUST-1-1978 and NOT I-am money, I-am very Small (little) salary, and not I-am money for pay my wife for liberation (FREE) FROM JAIL

ALL COUNTRY FROM ON WORLD UNDERSTANDING SYSTEM COMUNIST, WHICH IS A BIG SICK FOR PEOPLE FROM THIS COMUNIST COUTRY., WHICH THIS SYSTEM IS DANGEROUS.

- LONG TIME, EVERY year THE UNITED STATES GOVERNMENT APPROVE, and GIVE-MOST-FAVORED NATION, and ALL CREDIT FACILITIES FOR RUMANIA GOVERNMENT

- THE AMERICAN GOVERNMENT, EVERY YEAR, WHEN APPROVE ALL MONEY FOR RUMANIA, as a date, this GOVERNMENT RESPECT FREE IMMIGRATION, LAW INTERNATIONAL, but NOT, NOT, NOT, RESPECT FREE IMMIGRATION and LAW INTERNATIONAL WHICH, PRESIDENT N. CEAUSESCU - SIGNET.

- THIS RUMANIA GOVERNMENT NOT RESPECT AGREEMENT SIGNENT WITH AMERICAN GOVERNMENT.

My wife ALL TIME, IN BEFORE JOB JULY 1980, WORK excelent, correct, perfect, but because my wife ask passport for THE UNITED STATES, and my self lived in THIS COUNTRY, and ask POLITICAL ASYLUM IN GREECE IN 1977, NOT LIKE RUMANIA GOVERNMENT THIS PROBLEMS

- THE RUMANIA GOVERNMENT, believe so my self, is RICH HERE, and pay for LIBERATION A WOMAN FROM JAIL WHICH IS very, very CORRECT and PERFECT.

OFFICIAL: SISTER WIFE CALL me PHONE ON DATE 12/16/1982 NIGHT and EXPLAIN SITUATION IN WHICH THE RUMANIA GOVERNMENT ask me $ 23,000 for LIBERATION-FREE my wife from JAIL, but this GOVERNMENT is very STUPID CRAZY and BARBARIAN

- Please, me explain here for you, but you teik CONTACT WITH AMERICAN EMBASSY IN RUMANIA, UNDERSTAND SITUATION my wife, and american GOVERNMENT, FOR IMMEDIATELY ACTION FOR-NOT-NOT-APPROVE, NOT GIVE FOR NEXT year - NEXT TIME - MOST-FAVORED NATION FOR RUMANIA AND ALL HELP IN MONEY, STOP FOR ANY TIME THIS HELP because THE RUMANIA GOVERNMENT - NOT RESPECT FREE IMMIGRATION, PLUS PEOPLE IN RUMANIA IS IN JAIL FOR EXACTLY NOTHING, WHEN PEOPLE IS INNOCENT, CORRECT and SERIOUS.
- FROM NOVEMBRE-1977 me and wife, NOT CONTACT, NOT See RECIPROC, please YOU CONTACT WITH THE UNITED STATES-GOVERNMENT, PRESIDENT R. REAGAN, WHITH SENATE, CONGRESS, for help my wife from JAIL SITUATION WHICH IS VERY BIG DANGEROUS AND CRITICAL
- MY wife, you believe me, is perfect, correct and serious 1-am Marriage FROM NOV.-1-1965 and me understand this woman wich is my wife, so is correct and perfect. Yes, my wife. NOW IS IMPRISON (TO PUT IN JAIL) - IMPRISONED, for this problem, which is very, very dangerous please, Rush, Help for LIBERATION my wife.
- HERE is copy after finish RUMANIAN CITIZEN, my and wife not likes this SYSTEM CRAZY and STUPID.
- Me after NEXT AUGUST 1-am AMERICAN CITIZEN.
- FOR NEXT year - you and THE UNITED STATES - Mr. PRESIDENT R. REAGAN - NOT - please NOT APPROVE = MOST FAVORED NATION =, CREDITS FACILITIES and ALL MONEY FOR RUMANIA GOVERNMENT, because THIS GOVERNMENT IS DANGEROUS, STUPID and CRAZY and NOT RESPECT FREE IMMIGRATION NOT RESPECT AGREEMENT between this COUNTRY, U.S.A and RUMANIA, because my wife IS in PRISON, and GIVE 10 YEARS exactly for nothing.

P.S. Please very attention in me situation and you CONACT WITH AMERICAN GOVERNMENT FOR SALVATION my wife from JAIL.

my wife finish work bookkeeper TO JULY 1980 and on Same position from bookkeeper work exactly sister wife. is posible a sister is in Jail for nothing and next sister working exactly on Same position?????
In this situation my wife is INNOCENT? OR NOT?, my believe is not, but system COMUNIST is CRAZY, STUPID and barbarian.

MY FAMILY·WIFE - IS BIG-TRAGEDY

thank you very much
for help
Mihai Nemet

SOLLER, SINGER & HORN
ATTORNEYS AT LAW
NO. 10, THE MEWS
421 HUDSON STREET
NEW YORK, NEW YORK 10014
(212) 807-0200

GERALD B. HORN*
SHERRY L. SINGER
CARL R. SOLLER**
*MEMBER N. Y. & D. C. BAR
**MEMBER N. Y. & N. J. BAR

INTL TELEX 426510

July 29, 1983

The Honorable John C. Danforth
Finance Committee
U.S. Senate
Dirksen Building, Suite 215
Washington, D.C. 20510

Re: Continuation of MFN Status for Romania

Dear Senator Danforth:

On behalf of our client, Caravelle Pour Homme, Ltd., we wish to register our support for the President's determination to continue most-favored-nation (MFN) status for the Socialist Republic of Romania. We believe that only through the continuation of MFN status can we hope to achieve the improvements in emigration and human rights sought by the United States.

Caravelle Pour Homme, Ltd. is an importer of men's wearing apparel from around the world. Its major source of supply is Romania. The company is located in both New York, New York and Jersey City, New Jersey and employs close to 100 workers. Its merchandise is sold to hundreds of stores throughout the United States.

The allowance of MFN by the United States serves as a means of influencing the policies of other countries. Perhaps indicative of the effect which MFN status has on relations with Romania is Caravelle Pour Homme, Ltd.'s own experience this past spring. We had been advised that because of the "education tax", the President would not recommend the continuation of MFN status. As a result, numerous high-level discussions were held between the executives of Caravelle Pour Homme, Ltd. and officials of the Romanian government. Pressure was brought to bear on the Romanian government to obtain a change in this policy so that the President might recommend the continuation of MFN. This pressure, from Caravelle Pour Homme, Ltd. and others, apparently worked. As you know, the President has received assurances, both public and private, that the "education tax" will no longer be enforced.

It was the threatened loss of MFN status which resulted in this change. Were we to revoke this status, we would lose all leverage with the government of Romania and thereby be unable to effect any changes in their emigration and human rights policies. Recognizing that this status must be renewed annually, the Romanians have, by necessity, been forced to temper their policies.

The goal of achieving emigration unhampered by discriminatory laws and regulations cannot be attained without a dialogue between our two countries. Closing the door to trade can only result in severely limiting, if not totally eliminating, such dialogue. It will not accomplish our goal, nor will it aid the plight of prospective emigrants from Romania to this and other countries. Accordingly, on behalf of our client, Caravelle Pour Homme, Ltd., we urge you to support the continuation of MFN status for the Socialist Republic of Romania.

Very truly yours,

SOLLER, SINGER & HORN

Gerald B. Horn

Gerald B. Horn

Submission for the Record
Committee on Finance
United States Senate

STATEMENT OF LASZLO PASZTOR, CHAIRMAN OF THE EXECUTIVE BOARD OF THE AMERICAN HUNGARIAN FEDERATION, INC., IN CONNECTION WITH THE FURTHER EXTENSION OF WAIVER AUTHORITY GRANTED BY SUBSECTION 402(C) OF THE TRADE ACT OF 1974, COMMONLY REFERRED TO AS "MOST FAVORED NATION STATUS" (MFN) TO HUNGARY AND ROMANIA.

The American Hungarian Federation, Inc. (AHF) with its member churches, federations, clubs and chapters, is continuing to monitor the situation in Hungary and Romania.

President Reagan attached documents to his letter to the Congress of the United States of June 3, 1983 giving his reasons for the extension of waiver authority which state:

> "These agreements continue to be fundamental elements in our political and economic relations with those countries, including our important productive exchanges on human rights and emigration matters."

With respect to Hungary, the AHF has not, and does not now, oppose MFN to that country. The AHF adopts this posture because of the benefits to U.S. trade policies and to the Hungarian people of expanded trade and because of the concomitant economic reforms and relative liberalizing trends that have been initiated in Hungary in the past. Recently, however, there are ominous signs of a reversion to more oppressive policies. For instance, the renowned author, Csori Sandor, has been deprived of one year's income by the authorities and told that he would not be allowed to publish or travel abroad for that same period of time. The reason for his "punishment" was for writing a foreward in a book authored by Miklos Duray of Czechoslovakia who chronicled the oppressive measures taken against that country's Hungarian minority. Therefore, we encourage this committee to emphasize to the Hungarians that their human rights record is also an important factor which is taken into account by Congress when it considers continued or expanded trade. Specifically, we urge that the Hungarian government restore Csori Sandor's and the other harassed intellectuals' civil rights.

The AHF, as well as its individual members have, with growing anxiety, followed the gross and persistent human rights violations in Romania. Particularly alarming is the discrimination and persecution of the 2.5 million Hungarian minority by the Romanian government whose obvious intent is to denationalize and assimilate the members of that group. Equally disturbing and tragic are the oppressive measures taken against religious groups.

As stated by the Staff Report submitted to the Congress of the United States by the Commission on Security and Cooperation in Europe, dated November, 1982 at page 66:

> "Amnesty International, the International Human Rights Law Group and ethnic constituencies in Western CSLE states assert that the Romanian Government discriminates against minorities as a matter of policy. Others maintain that no national policy of discrimination exists *per se*, but that the government's emphasis on national unity and societal change in effect permits biased officials to engage in widespread discriminatory practices with impunity. Since there are few realistic opportunities, except for emigration, for redress of human rights grievances, making the distinction as to whether or not a discriminatory national policy toward minorities exist makes little practical difference."

In fact, the widespread oppression under which the members of the Hungarian minority live in Romania is well documented. These include the precipitous decline of Hungarian-language educational institutions at the elementary and high school levels and the elimination of Hungarian universities; the dissolution of compact Hungarian communities; the suppression of Hungarian and other minority languages; curtailment of human contacts and cultural exchanges with Hungarians outside of Romania; harassment of churches and religious groups and confiscation of their archives; falsification of census figures and history; and the concomitant persecution of individuals who raise their voice against political, social, cultural and religious discrimination with the most outspoken individuals being condemned to forced-labor camps or held incommunicado with little or no trace of their whereabouts.

Examples of the persecution of individuals who speak out against Romanian denationalization policies include the arrest in November of numerous Hungarian intellectuals in connection with the publishing of the samizdat Ellenpontok (Counterpoints). Two of those arrested, Ara-Kovacs Attila and Toth Karoly, were beaten and subjected to brutal interrogations. After their release they were subsequently harassed and taken again into custody.

Other outspoken Hungarians, such as Borbe Erno and Biro Katalin of Miercurea Ciuc, disappeared last November and are presumed to have been sentenced to life imprisonment. Similarly, Visky Arpad of Sfintul Gheorghe disappeared in February, 1983 after he was arrested by the Romanian secret police. Subsequently, at the end of April he was tried in Bucharest and sentenced to forced labor to the Danube Delta.

Despite the extension by the United States of trade benefits to Romania during the past several years and despite wishful thinking that continued trade without anything more will somehow enhance human rights in Romania, the contrary is actually the case.

Therefore, we urge this committee to communicate in no uncertain terms by withholding MFN to Romania and thereby signaling that the Congress shall not ignore oppressive policies directed at Romania's ethnic and religious groups and continued trade benefits from the United States will not be extended unless some measures are taken to ease the plight of those groups.

As Romania's suspension of the emigration tax clearly demonstrated, Romania can be quite sensitive and responsive to the specter of losing trade advantages. The AHF wishes the U.S. to use whatever leverage it may enjoy to enhance the rights of Romania's persecuted Hungarian and other ethic and religious minorities.

baptist world alliance

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Louisville, KY 40206

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Victor San Lone
Rangoon, Burma

Fannie Thompson
Tucson, AZ, USA
Vice Presidents

Charles H. Burton
Legal Counsel

July 21, 1983

The Honorable Roderick Dearment
Chief Council
Committee of Finance
Room S.D. 219
Dirksen Senate Office Building
Washington, D.C.

RE: Favored Nation Status of the State of Romania

Dear Sir:

The Executive Committee of the General Council of the Baptist World Alliance received a report on the work of Baptists in the State of Romania, and on the basis of knowledge of affairs in that country, gives its support to the renewal of Most Favored Nation Status to Romania.

Baptists in Romania now number 160,000. When children and adherents are added, the total community is more than 300,000. These Baptist people have joined together in local churches which, in turn, constitute the Baptist Union of Romania. This particular Baptist Union is one of the fastest growing church bodies in Europe. Baptismal services for new converts are held regularly and the proportion of young people among the new believers is most encouraging. We are impressed by the progress made by Baptists in Romania in providing new church buildings and Christian education facilities. At this present time a number of new church buildings are under construction and major renovations are underway in others. Further applications are being considered.

Permits for the importation of Bibles have been given, and young people are being trained for ministry in the Baptist Seminary.

Baptists are well known for their stand on religious liberty. Various issues have been discussed with officials of Romania. We have noted with satisfaction that Romania is the only state in Eastern Europe which has granted recognition to the State of Israel.

Delegates from the Baptist Union of Romania are present at all major international gatherings arranged by the Baptist World Alliance. We appreciate the fact that Romanian Baptists can participate fully in the worldwide affairs of the Baptist World Alliance.

1628 Sixteenth Street, NW, Washington, DC 20009 • Tel: 202-265-5027 • Cable: Baptist, Washington

The Baptist World Alliance expresses its support for the continuation of Favored Nation Status for Romania. Any changes in status could result in hardship for the people of Romania whom Baptists in that country seek to serve.

Yours sincerely,

Gerhard Claas
General Secretary

Association of the Former Romanian
Political Prisoners
31-25 89 St.
New York,N.Y.11369
tel.(212) 672-9304

Mr. Roderick A. DeArment, Chief Counsel,
Committee on Finance, Room 219,
Dirksen Senate Office Building
Washington, D.C. 20510

New York,July 19 1983

Mr.President,

....

In behalf of the Association of the Former Romanian Political Prisoners, a non-profit corporation chartered by the State of New York,whose purposes are to defend its political refugees who come to this country to seek refuge from the Communist oppression in their homeland,and to organize a common front for a free and democratic Romania, we are forwarding to you this written statement of facts concerning the further extension of the MOST FAVORED NATION(MFN)TRADING STATUS granted to the Socialist Republic of Romania on August 3,1975.

Before any action is taken in this matter,it is our sacred duty to inform you about the excruciating brutalities applied to the political prisoners by the Communist machine after Romania was delivered up to the Soviet invasion.
Even today the crimes and deceits are still committed against the Romanians under the very eyes of the Free World.
The destruction of the individual behind the iron curtain is still unknown by the Free World.There are incredible facts that take place at this moment: moral pressure,phisical degradation,hunger,beating and slave labor.
The Communist Government of Romania badly needs outside help to improve its

economic quakes and shoulder its burdens and payments in foreign debts. If the MOST FAVORED NATION TRADING STATUS were a real benefit for the Romanians, we would be the first to recommend a further extention of MFN treatment for our country. But for 40 years Romania is economically and militarily tied to the Soviet Union and, at the same time, is one of the least developed countries in Europe. At present the Government has instituted measures that increase the food prices. This indicates that the nation's foundations are collapsing.

All sources of power are dictatorially in the hands of President Ceausescu and his collaborators. The Romania's position was demonstrated at the Warsaw Pact Summit meeting of May 1980. Today Romania is the most loyal Soviet ally united by treaty.

In approving extention of MFN treatment, and in consideration of the President's recommendation for the Socialist Republic of Romania, we would like to bring to your attention the following demands for the Romanian victims from behind the iron curtain:

1. The release of the political and religious prisoners from prisons or incarceration among people suffering from mental illness.
2. The suspension of the decree concerning the taxes payment for education by those who for all kind of reasons intend to emigrate or leave the country.
3. The freedom of speech and the people's access to the press.
4. The right of emigrating or traveling (the Jackson Vanik amendment which allows to everybody this right).
5. The years spent by the political prisoners in labor-camps or prisons to be taken into consideration as years of employment.
6. Damages caused to former Romanian political prisoners to be paid accordingly.

Considering America's role as the leader of freedom, we trust that you will pay full attention to our statements and to our legitimate demands in behalf of the Romanian victims who cannot speak from behind the iron curtain, and take a firm stand regarding the Romanian Communist Government, by getting them to pledge our above mentioned requests so vital for the Romanian People.

Please make the necessary representation with the respective authorities. Thank you for your consideration.

Sincerely,

Zaharia Pana
President

Ioan Ovidiu Borcea
Vice President

G. Iordache
George Iordache
Secretary

Grigore Caraza
Treasury

N. Carja
N. Carja

Eugenia Adams-Muresanu
Eugenia Adams-Muresanu

Members

STATEMENT OF ARISTIDE NICOLAIE

to be included in the printed record of the hearings held by the Senate Committee on Finance on July 29, 1983 on the Section 402 of the Trade Act of 1974 with Romania.

MR. CHAIRMAN AND HONORABLE MEMBERS OF THE COMMITTEE:

My name is Aristide Nicolaie; I live at 1330 Massachusetts Ave. NW. Washington, DC. 20005. I am U.S. citizen; I left my native country Romania in December 1944, and never visited her since then.

I am active in the Romanian community here in Washington being a member of the parish coucil of the Romanian Church"Holly Cross" and President of the Union and League Romanian Society "Dacia Felix". Before arriving in Washington eight years ago, I was active in the Romanian comunity in New York City where I lived over 20 years.

I testify before this Committee as an individual on behalf of my family, that is my eighty years old mother, my sister and the son of my sister. Their name and address is:

Minca Nicolae, Cornelia Nicolae and Corneliu Nicolae
Sos. Panduri No.5,et.1, apt.7, Sect.5,
Bucuresti, Romania, 76229

After many years of patience and hope of changes, my mother together with my sister and her son decided to give up and leave Romania and come to join me here in the United States.

On December 1979 they applied to the Romanian authorities for approval to emigrate. They were refused; they applied again and again - 34 (thirty four) times until now - again and again they were refused. I sent them the necessary affidavits of support and I applied to the U.S. Immigration Service for their immigration which was granted on June 18, 1982.

It is my feeling that at least under the provisions of the Trade Act of 1974, Sec. 402 my people should have been allowed to leave Romania long time ago.

It took me some courage to come to testify before this Committee. I love my native country Romania and I hope to see her again sometime in near future. There is among our romanian people here in United States a general fear to testify publicly or to express one's true feelings about the situation in Romania.

The fear to testify - I know of many people who do not want to testify because of fear of repraisals by the Romanian officials; there are romanians, american citizens who are refused by romanian officials a visa to visit their relatives in Romania.

The contention of the Romanian officials that the provision of the Sec. 402 would be an intrusion into the internal affairs of Romania cannot be true. The Trade Act of 1974 is a mutually agreed document binding both parties to its implementation. In my opinion, the American authorities do not intrude in the Romania's internal affairs; actually I believe that the American authorities do not do enough in helping and protecting the implementation of the Sec. 402 cn behalf of the american citizens and immigrants.

The results so far of the Most Favored Nation status under the Trade Act of 1974 ca be summarized in a few lines:

1- The Romanian government exports for hard currency to the United States and other western countries goods of which the Romanian people are more and more deprived.

2- The Romanian government succeeded to accumulate a debt tothe United States and other western countries of about $12 billion , and is tottering now on the verge of bancruptcy - bancruptcy which is further stalled by additional western loans-namely, 500 million dollars approved recently by the International Monetary Fund.

3- The Romanian people of Romania and the American citizens of the United States cannot fully trust that their own governments are truly willing and able to implement the terms of the Trade Act. The fear, dismay, uncertainty and mistrust experienced by these people cannot be of advantage to either government or country.

4- The economic situation and the status of human rights in Romania actually worsened since the initiation of the MFN status.

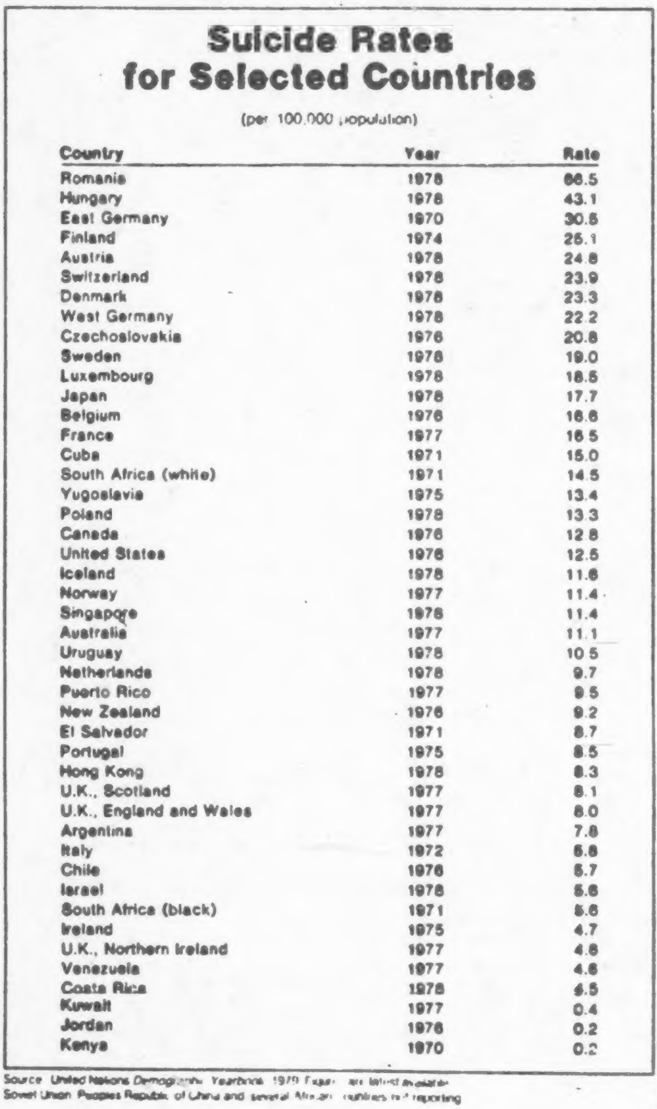
5- The American citizens cannot help their relatives in Romania except at unreasonable high costs and confiscatory customs payments for goods either sent by parcel post or brought by tourist-relatives into Romania.

6- The lobbies of private enterprises that do business with Romania confound their own interests with the interests of the Romanian and American people - a sort of "what is good for them (private enterprises) is good for America" -. These lobbies use to present the economic, political and human rights situation in Romania in glowing terms, which ,as can be proved by many facts, is not the case.

There are many more negative aspects of the MNF status; all of them, it seems to me, outweight the advantages accrued to both United States and Romania.

We have mixed feelings about the MFN status and the U.S. President's waiver of the requirements under the Sec. 402. We want that the MFN status be truly succesfull,truly advantageous to both American and Romanian People; as it worked so far, we do not see enough reasons to be continued.

Here included is one of the most striking documents that prove the cruel hardships of life in Romania; many of the Romanians w who cannot escape from their own country either by emigrating or by running away do commit suicide; - the highest suicide rate in the world, more than 550 % the rate in the United States, according to the United Nations' Demographic Yearbook of 1979.



Suicide Rates for Selected Countries

(per 100,000 population)

Country	Year	Rate
Romania	1978	66.5
Hungary	1978	43.1
East Germany	1970	30.5
Finland	1974	25.1
Austria	1978	24.8
Switzerland	1978	23.9
Denmark	1978	23.3
West Germany	1978	22.2
Czechoslovakia	1976	20.8
Sweden	1978	19.0
Luxembourg	1978	18.5
Japan	1978	17.7
Belgium	1976	16.6
France	1977	16.5
Cuba	1971	15.0
South Africa (white)	1971	14.5
Yugoslavia	1975	13.4
Poland	1978	13.3
Canada	1976	12.8
United States	1976	12.5
Iceland	1978	11.6
Norway	1977	11.4
Singapore	1978	11.4
Australia	1977	11.1
Uruguay	1978	10.5
Netherlands	1978	9.7
Puerto Rico	1977	9.5
New Zealand	1976	9.2
El Salvador	1971	8.7
Portugal	1975	8.5
Hong Kong	1978	8.3
U.K., Scotland	1977	8.1
U.K., England and Wales	1977	8.0
Argentina	1977	7.8
Italy	1972	5.8
Chile	1976	5.7
Israel	1978	5.6
South Africa (black)	1971	5.6
Ireland	1975	4.7
U.K., Northern Ireland	1977	4.6
Venezuela	1977	4.6
Costa Rica	1978	4.5
Kuwait	1977	0.4
Jordan	1976	0.2
Kenya	1970	0.2

Source: United Nations Demographic Yearbook, 1979. Figures are latest available. Soviet Union, Peoples Republic of China and several African countries not reporting

Included in this statement are the following names of persons who are trying to bring their relatives out of Romania and are submitted to long delaies by the romanian officials:

Constantin Rotaru, Los Angeles, California, American Citizen
Mother - Andreica Rotaru, Bucharest, Romania
Brother - Marian Rotaru, Bucharest, Romania

George Covaci, Chicago, Illinois, American born Citizen
Brother - Andrei Covaci, with wife and two children,
Sannicolaul Mare, Romania

Elisabeth Negrau, Chicago, Illinois, American Citizen
Brother - Florea Stan with wife and two children,
Bucharest, Romania

Nicolae Pop, Chicago, Illinois, American Citizen
Fiance - Ana Morar, Bucharest, Romania

Caroline Biltoc, Muscatine, Iowa
Sister,- Petruta Mincu, with husband and son
Bucharest, Romania

Aurelia Zaharia Arjoca, Jersey City, New Jersey
Brother - Eugen Liviu Arjoca, Campina-Prahova, Romania

Alexandru Cojanu, Ridgewood, New York
Wife and two children, Ploesti, Romania

Rev. George Gage, Merrillville, Indiana,
Mother - Voichita Ielita, Timisoara, Romania

Dora Neagu, Upper Darby, Pennsylvania
Brother - Barbu Christian Morjan with wife and child,
Romania

Nadejda Golea, Miami Beach, Florida, American Citizen
Nephew - Radu Poenaru with wife and child,
Bucharest, Romania

Mihaela Zugravescu, Baltimore, Maryland,
Son - Horia Zugravescu, Bucharest, Romania

Viorel Dumitrescu, Anaheim, California,
Wife and son - Niculina Dumitrescu, Bucharest, Romania

Florica Ichim(and mother),Kitchener, Ontario, Canada
Sister (and daughter) - Marica Batu with two children
Bucharest, Romania

Visalon Tiganila, Winnipeg, Manitoba, Canada
Wife - Romania

Ana Tabara, Winsor, Ontario, Canada
Son - Ioan Ecsedy with wife and two children,
Timisoara, Romania

Dinu Stefanescu, Waterloo, Belgium
Wife and two children - Mioara Stefanescu,
Bucharest, Romania

Thank you very much,

Aristide Nicolaie

THE TRANSYLVANIAN WORLD FEDERATION
U. S. BRANCHES AND AFFILIATED ORGANIZATIONS

President:
Dr. A. Wass de Czege
Rt. 1, Box 59
Astor, Fla. 32002

Washington Representative:
Mrs. Ilona Boissenin
3914 Terrace Drive
Annandale, Va. 22003

General Secretary:
Dr. John Nadas
1450 Grace Avenue
Cleveland, Ohio 44107

Arizona
California
Colorado
Connecticut
District of Columbia
Florida
Georgia
Illinois
Indiana
Michigan
Missouri
New Jersey
New York
Ohio
Pennsylvania
Wisconsin

TO:

THE SUBCOMMITTEE ON INTERNATIONAL TRADE OF THE
SENATE COMMITTEE ON FINANCE.

Mr.Chairman:

As the legal representatives of this organization,as well as loyal and proud citizens of the United States of America, we strongly oppose the renewing of the "Most Preferred Nation" status to the government of the Socialist Republic of Romania due to the following reasons:

1./ Last year this status was renewed to Romania in order to give the Romanian government a chance to improve its emigration practices and its treatment of the ethnic minorities.We have more than sufficient proof that these conditions were not met.

2./ Though the "emigration tax" was allegedly abolished on paper during the month of May 1983,in practice there are no serious improvements noticable.Persons who are petitioning to leave the country are still suffering the same harassments as before,especially if they are not of the Jewish race.

3./ The treatment of the nearly three-million Hungarians grew worse during the last year instead of improving,as we have sufficiently proven it during the past year in our Transylvanian Quarterly.

4./ The Protestant as well as the Roman Catholic churches are under heavier oppression than ever.Old,historic churches are demolishe under the pretext of being "unsafe",and building permits for new ones denied.This persecution is especially noticable against the Baptist Church,as the Gentleman of Kentucky already reported to this Subcommittee.

5./ Hungarian poets,writers,artists,clergymen,and other intellectuals are arrested in greater numbers than ever on trumped-up charges. They are beaten,tortured,and even killed.One of the latest victims of this "ethnocide" is a noted Hungarian historian who was working

THE TRANSYLVANIAN WORLD FEDERATION
U. S. BRANCHES AND AFFILIATED ORGANIZATIONS

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Arizona
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Colorado
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District of Columbia
Florida
Georgia
Illinois
Indiana
Michigan
Missouri
New Jersey
New York
Ohio
Pennsylvania
Wisconsin

Cont.:

on a research project dealing with the early history of Hungarian villages in Transylvania.

The truth is,that the government of Romania is an extremely brutal dictatorship based on the rule of a small communist minority,which does not believe in the basic human rights of its citizens and has no respect for international agreements.

We strongly feel,that encouraging this government by any kind of aid would seem that we approve the evil it perpetrates,and therefore it is against the very principles upon which America was built,and still stands.

In the name of the United States Branches of the Transylvanian World Federation and Affiliated Organizations, as well as in the name of 1.7 million American citizens of Hungarian descent

WE HEREBY LODGE OUR PROTEST AGAINST RENEWING THE MOST PREFERRED NATION STATUS TO THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF ROMANIA.

On this 19th day of July,1983,

Respectfully:

Albert Wass de Czege
president

Dr.John Nádas
gen.secretary

Ilona Boissenin
Mrs.Ilona Boissenin
Washington Representative

PepsiCo Wines and Spirits International

NORMAN HELLER
PRESIDENT

July 11, 1983

Senator John Danforth
Chairman
International Trade Subcommittee
Finance Committee
460 Russell Senate Office Building
Washington, D.C. 20510

Dear Sir:

This letter is directed to you because of your Chairmanship on the Subcommittee on International Trade of the Finance Committee and the pending hearings concerning the continuance of Most Favored Nations status for Hungary and Romania.

Our company, PepsiCo Inc., through its various divisions, has had positive and cooperative trade relations with Hungary and Romania for over a decade.

I am writing to you as President and Chief Executive Officer of PepsiCo's Wine & Spirits International Division, as an international executive, and U.S. citizen, who in his dealings with the various ministries and trade enterprises of Hungary and Romania has been impressed with their good will, sincerity, and cooperation in our joint commercial relationships, both in the areas of their purchase of Pepsi-Cola from us and our purchases of wines from them.

We introduced Romanian wines in the United States in October 1976 under the trademark Premiat. This has proven to be a success in that we have been able to provide the U.S. consumer with imported wines from Romania of outstanding quality at good value. We will shortly be doing the same with Hungarian wines. In turn, our Pepsi-Cola business in Hungary and Romania has been growing and dollar purchases by both the Hungarians and Romanians of Pepsi-Cola concentrate has been significant. Pepsi-Cola has become a very popular soft drink in Hungary and Romania and is available for sale throughout both countries.

In summary, we firmly believe that building bridges of trade is an important step in developing international understanding and peaceful relations throughout the world. We support the continuation and extension of the Most Favored Nations status for imports from Hungary and Romania and respectfully request that you vote for this extension.

Yours truly

Norman Heller

Norman Heller

NH/mh

700 ANDERSON HILL ROAD PURCHASE N.Y. 10577 TELEPHONE 914 253 2078 CABLE ADDRESS PEPSI WINES PURCHASE NEW YORK STATE TELEX 424546

atalanta
CORPORATION
17 VARICK STREET, NEW YORK, N.Y. 10013 • 212-431-9000

LS

July 12, 1983

The Honorable John Danforth
Chairman of the International
Trade Subcommittee of the
Finance Committee
460 Russell Senate Office Bldg.
Washington, D.C. 20510

Dear Senator,

On behalf of the ATALANTA Corporation headquartered at 17 Varick Street, New York, I am pleased to submit our support for the continuation of the Most-Favored Nation Tariff treatment by the United States for imports from Socialist Republic of Romania.

The ATALANTA Corporation is a marketing organization for a large variety of high quality food items which are distributed throughout the United States. Food products are imported from over 40 countries throughout the world, including canned hams from Romania. During 1982 ATALANTA imported close to $15 million of high quality Romanian canned hams. In addition, ATALANTA is a member of the Romanian-United States Economic Council which operates under the administrative scope of the Chamber of Commerce of the United States but is autonomous in matters of policy.

During the past decade, U.S. Romanian trade has shown significant gain. In 1965 bilateral trade was $8 million. In 1970, bilateral trade grew to $80 million and in 1978 it had grown impressively to about$662 million with the United States enjoying a favorable balance of trade. This favorable trend is expected to continue throughout the 1980's.

ATALANTA believes that through normal trade relations with such countries, the U.S. foreign and economic policy will be enhanced leading to better overall relations between the East and West. This will not only enable U.S. businesses to further develop business relations with Romania, but will also be a step toward securing world peace.

On behalf of ATALANTA Corporation, I wish to inform the United States Senate that our company appreciates your consideration of our views.

Very truly yours,

George G. Gellert
Chairman of the Board

For Telex communications use services assigned as follows: Shrimp – Lobster – Fish – Cheese Unox RCA 232450 ATA UR ITT 420062 TRADATL
EXPORTS – Imports of Frozen Meat ITT 422006 Communications From: Denmark – Norway – Spain – Hungary RCA 22600 ATA UR
ALL BRANCHES IN USA USE Western Union 125187 CABLE ADDRESS: TRADATLAN – NEW YORK

ServBest FOODS, INC.

P.O. BOX 374 • 1256 OLD SKOKIE ROAD • HIGHLAND PARK, ILLINOIS 60035 U.S.A.
PHONE (312) 831-4700 • TELETYPE 910-688-4166 • CABLE: SERVBEST

1983 JUL [illegible] 35

July 5, 1983

Senator John C. Danforth
Member, Finance Committee
United States Senate, SR-490
Washington, D.C. 20510

Dear Senator Danforth:

As Chairman of ServBest Foods, Inc., an Illinois corporation which is entirely owned by U.S. citizens, I request that your Committee should favorably consider extension of Most Favored Nation status to the Hungarian People's Republic.

This year is the ninth year that this corporation has conducted business with Hungary. During that extensive time period, I have personally observed Hungerian sensitivity to human rights. I have met numerous Hungarians who emigrated from Hungary over the past 25 years and have learned from them that they are free to visit Hungary and their relatives without political interference.

Although Hungary's political system is different from ours, I recognize a common adherence to fundamental principals of human rights.

I do not visit Hungary as a politician nor as an observer. My frequent visits are for commercial matters. I visited Hungary five times in the past year. I therefore feel competent to report favorably to your Committee and to request extension of Most Favored Nation status.

I urge your Committee to extend MFN status to Hungary for minimum periods of three years. This request is based on commercial necessities. In today's complex international trade situations, it is not reasonable for parties to bilateral trade to operate in one year time frames.

Very truly yours,

William E. Kentor
Chairman

WEK/jks

MEMBER: AMERICAN IMPORTERS ASSOCIATION, INC. AMI AMERICAN MEAT INSTITUTE CHAMBER OF COMMERCE OF THE UNITED STATES

The Coca-Cola Company
ATLANTA, GEORGIA

DONALD R. KEOUGH
PRESIDENT
AND
CHIEF OPERATING OFFICER

ADDRESS REPLY TO
P. O. DRAWER 1734
ATLANTA, GA. 30301
404 898-2121

July 21, 1983

The Honorable John Danforth
Chairman
Subcommittee on International Trade
Committee on Finance
337 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Danforth:

As you are considering the extension of the President's waiver authority under Section 402 of the 1974 Trade Act, I would like to express my support for continuing the Most Favored Nation Tariff Treatment for Romania and Hungary.

In 1982, the United States had a total trade deficit of approximately $31 billion. This figure indicates how important it is, now more than ever, for the United States to consider expanding international trade as a national economic priority to strive to achieve a positive trade balance and to create more jobs for Americans. Denial of fair tariff practices at this time would adversely impact the climate in which international trade can grow.

We must strive even harder in the future to reduce trade barriers. Our economy, and consequently all Americans, will only benefit from the United States being in a better competitive position. It is my belief that continuing fair trade practices with our bilateral trading partners will further benefit our trade with these countries and be in our country's best interests.

I appreciate your continuing efforts to monitor these trade agreements to insure that our country's best interests are served.

Sincerely,

DRK:vlb

The Coca-Cola Company
ATLANTA, GEORGIA

DONALD R. KEOUGH
PRESIDENT
AND
CHIEF OPERATING OFFICER

ADDRESS REPLY TO
P. O. DRAWER 1734
ATLANTA, GA. 30301
404 898-2121

July 21, 1983

The Honorable John Danforth
Chairman
Subcommittee on International Trade
Committee on Finance
337 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Danforth:

As you are considering the extension of the President's waiver authority under Section 402 of the 1974 Trade Act, I would like to express my support for continuing the Most Favored Nation Tariff Treatment for the People's Republic of China. I would further recommend that the President's waiver authority with respect to China be extended on a multi-year basis, rather than annual renewal. This would create a climate more conducive to expanding economic relations between our two countries.

The Coca-Cola Company has been selling Coca-Cola to China since 1979 and early in 1981 the first bottling plant was opened in Beijing. A second plant opened this year in Canton. The U.S.- China Trade agreement provides a necessary structure for the kind of expansion of trade with China that will serve to benefit not only my Company but the economic and political interests of the U.S. as well.
The U.S. enjoys an overall positive balance of trade with China of more than $2 billion, and it is continuing to increase. As China develops its oil resources, Sino-American relations will be enhanced by a continuation of a trade agreement that will enable U.S. companies to participate in this development.

China has met the requirements as specified in the regulations of the 1974 Act. It is my strong belief that the continuation of fair trade practices would be in our country's own best interests and contribute to the improvement of U.S.-China relations.

I appreciate your continuing efforts to monitor these trade agreements to insure that our country's best interests are served.

Sincerely,

Donald Keough

national
machine
tool builders
association

7901 WESTPARK DRIVE
McLEAN, VIRGINIA 22102
AREA CODE (703) 893-2900
TWX 710-831-0031 NMTBA MCLN

CHAIRMAN:
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Sr. Vice President
Group Executive—Machine Tool Systems Group
Litton Industries, Inc.
Hartford, Connecticut

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Chairman of the Board
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Oerlikon Motch Corporation
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Armstrong-Blum Mfg. Co.
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The Cincinnati Gilbert Machine Tool Company
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[illegible] Corporation
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Cleveland, Ohio

STAFF:
James A. Gray
President

Edward H. [illegible]
Exhibition Director

Mark J. [illegible]
Administrative Director

William Atkinson, Jr.
Safety Director

James H. Mack
Public Affairs Director

Jesse [illegible]
International Trade Director

John [illegible]
Training Director

Charles Pollack
Public Relations Director

John B. Deam
Technical Director

Anthony M. Bratkovich
Engineering Director

Jon T. Franklin, Jr.
Statistical Director

[illegible] Mason
Controller

Overlooking
The Nation's Capital

83 JUL 22 [illegible] 10

July 19, 1983

The Honorable John C. Danforth
Chairman, Subcommittee on
International Trade
Senate Finance Committee
221 Dirksen Senate Office Building
Washington, D. C. 20510

Dear Mr. Chairman:

On behalf of the American machine tool industry, I wish to express the support of the National Machine Tool Builders' Association for the extension of Most Favored Nation status to the People's Republic of China. We firmly believe that such action is in the best interests of the United States.

Although export-import figures are not dramatic, America has a strong trade surplus with China. In 1982 total U.S. exports to China were $2.9 billion, while imports totaled only $2.2 billion. For machine tools, exports totaled $2.4 million, compared to $4.0 million in imports from the P.R.C., though it must be noted that the majority of our machine tool imports from China were of relatively simple manual machines. Because of the beneficial effect of MFN, we believe that its extension to the P.R.C. will improve our trade, enhancing our opportunities to sell the Chinese the modern machine tools they need to improve their manufacturing sector.

Our Association, which represents more than 85% of America's machine tool industry, has long been active in promoting exports. We have organized more than 40 IOGA (Industry-Organized, Government-Approved) trade missions. We have worked with the U.S. Department of Commerce on many exhibitions, catalog and video shows, and in efforts to bring foreign buyers to the United States. Our Association conducted the first IOGA trade mission to the People's Republic of China in 1975, and we have maintained close ties with the PRC ever since. In March of this year, we held the first ever U.S. machine tool show in

China. Our members' products were well received and we are currently negotiating to hold another show in 1985.

Although America is relatively new to the Chinese market, we have made impressive strides. We believe that the future holds promise for trade growth, and MFN is an important part of that future.

The Chinese will require industrial assistant from Western nations if they are to effect economic reform. It is our hope that America will be a strong participant in China's industrial development. If our government renews the authority of the Trade Act Waiver and extends Most Favored Nation treatment to the People's Republic of China, I believe that we will continue to enjoy growing trade with this gigantic potential market.

Sincerely,

James A. Gray
President

COORDINATING COMMITTEE
OF
HUNGARIAN ORGANIZATIONS IN NORTH AMERICA

ISTVAN B. GEREBEN
EXECUTIVE SECRETARY

4101 BLACKPOOL ROAD
ROCKVILLE, MD. 20853
TELEPHONE 301-871-7018

Mr. Chairman, distinguished members of the Subcommittee:

My name is Istvan B. Gereben. I am the Executive Secretary of the Coordinating Committee of Hungarian Organizations in North America, the consultative body of all major Hungarian Organizations in Canada and the United States. It is in this capacity that I am testifying today before this Subcommittee and presenting our views on the subject under consideration by the distinguished members of the Subcommittee on International Trade at this time. We are grateful for the opportunity to express our thoughts in connection with the Presidential recommendation for a further extension of the authority under the Trade Act of 1974 to waive the freedom of emigration requirements under Section 402 and for the continuation of the waivers applicable to the Socialist Republic of Rumania and the Hungarian People's Republic.

I would like to state that our Committee always interpreted the Jackson Vanik Amendment in a broader perspective than addressing emigration from the Soviet Union. We and presumably some other wittnesses testifying on this subject before this Subcommittee in the past believed and still believe that Section 402 of the Trade Act of 1974 represents congressional endorsement of the policy of linkage established long ago by the U.S. Government and maintained by several successive Administrations. In this context we always believed that it is proper, if not mandatory, to assess the performance of these countries concerning the full spectrum of human rights and not narrow the evaluation to emigration rights alone.

The fact that the Hungarian People's Republic monitors these hearings with great attention and is sensitive to the gap between the public and official images of its human rights record, is the best justification for the continuation of frequent and thorough assessment of its performance on this field. The fact that there is no outstanding family unification case between the United States and Hungary is a tribute to the effectiveness of these hearings. The fact that the Hungarian government halted criminal investigations against five dissidents last May just before a decision was due on its loan request to the IMF and after a persistent campaign to call the attention of the public and government agencies to the plight of the Hungarian intellectuals proves that linkage works. We believe that the time spent by the Chairman and the members of this Subcommittee listening to independent assessments of the performance of the Hungarian People's Republic on the human rights field is a small price to pay for the results enjoyed by millions of Hungarians.

With respect to Rumania our member organization, the Committee of Transylvania submitted a written testimony. We fully support the conclusions and recommendation of that testimony.

We call special attention to a new practice implemented recently by the Socialist Republic of Rumania treating would be emigrants. Our understanding is that those applicants who are in the process of buying a home or condominium financed by the state are being asked to pay the full amount of the purchase price before departure is permitted. Emigrants loose their homes, condominiums to the state when they leave Rumania. This practice is a discriminatory tax on emigrants. Those who have very little equity in their homes, condominiums are forced to pay insurmountable amounts to have the privilege to transfer their just paid for property to the state without any reimbursement. We recommend that Congress demand the halt of this practice before the approval of the extension of the MFN status to Rumania.

With respect to Hungary we call the attention of the Subcommittee to the following:

- The Hungarian People's Republic has the most restrictive emigration laws in Eastern Europe. As a consequence there were no recorded emigration from Hungary - other than family unification cases - in the past year. If the condition for MFN is emigration performance, Hungary rates behind Rumania and the Soviet Union. The Hungarian emigration laws severly violate the letters and spirit of Section 402 of the Trade Act of 1974. This aspect of Hungarian emigration was and is neglected by the President in his recommendation and the Subcommittee in its approval of extension of MFN status for the Hungarian People's Republic.

- Family unification cases involving other Western countries than the United States which do not have the leverage of Section 402 and its yearly review requirement of trade conditions are still unresolved.

- Passport regulations– in our opinion, part of emigration, freedom of movement issues—are arbitrary and provide the state with a tool of punishment for dissidents. Contrary to the popular perception not all Hungarian citizens enjoy the privilege of having a passport. George Krasso, one of the Hungarian dissidents, applied in vain for a passport for the past 15 years to visit his brother in England. The passport of George Kocsi, a young Catholic priest, was withdrawn recently as punishment for the participation in the Charismatic base communities disapproved by the state. Sandor Csoori the internationally respected writer was denied permission to go to Italy recently as a punishment for writing an introduction to a book authored by a member of the Hungarian minority in Czechslovakia and published here in the United States. Csoori was critical of the Hungarian regime's apathy towards the fate of the Hungarians living in neighboring states. In addition to the denial of permission to leave the country Csoori was banned from publication for a year. Mr. Laszlo Rajk, the prominent dissident recently was accepted by Columbia University's School of Architecture where he intended to study for his doctorate degree. Authorities in Hungary denied granting him the recommendation necessary to obtain a passport.

The mebers of a Western peace group camping in Hungary as the invited guests of the Hungarian Independent Peace Movement - a maverick dissident organization which demands that not only the United States but the Soviet Union as well dismantle their nuclear weapons - were expelled by the authorities last month and the organization hosting them was harassed into self-disbandment.

There are many similar cases of interference by the state with the right of free movement in Hungary.

- A long outstanding unique family unification case is still unresolved by the Hungarian regime. I refer to the case of Imre Nagy and others who were executed in the aftermath of the Hungarian revolution. The Government in Hungary continuously and stubbornly refuse to reveal the location of the gravesites where these Hungarians are buried. In this year on the the 25th anniversary of the execution of Imre Nagy, many distinguished Americans, Jimmy Carter, Arthur Goldberg, William Buckley, Walter Mondale, Charleston Heston, Claire Boothe Luce, Bayard Rustin, Eugene Wigner among them signed an appeal to the Chairman of the Presidential Council of the Hungarian People's Republic requesting him and his government to identify the gravesites, to permit the recovery of the remains for proper interment by the surviving family members. President Reagan in a public letter strongly endorsed this appeal stating: "I commend the efforts to identify the graves of the gallant men and women of the Revolution and to secure access to their remains for proper burial after so many years of anguish on the part of family and friends."

We urge the Subcommittee to add the support of Congress of the appeal by conveying the concerns of the American people to the officials of the Hungarian People's Republic and remind them that without the timely and satisfactory solution of the unique family unification cases involving the executed victims of their ascendancy to power the yearly extension of MFN status for the Government in Hungary will not be an automatic, periodic exercise.

This is the least what Congress ought to do if it holds family unification as its primary condition for extending MFN status to Hungary.

Since trade with Hungary and the conditions under which this trade is conducted are the basic subjects discussed here today, I call the attention of the Subcommittee to the speech of the First Secretary of the Hungarian Socialist Workers' Party, Janos Kadar, delivered to the Party's Central Committee on April 12-13. In that speech Mr. Kadar reiterated the trade priorities of the government under his leadership by stating:

> "We have had about a quarter of a century one basic rule: we will buy everything from the Soviet Union and from other socialist countries. Whatever we cannot obtain there we will look for in the developing world. Finally, whatever cannot be obtained there either we will purchase from the developed capitalist countries. A country must live and work, an economy must operate."

I wonder how some of our eager businessmen and their supporters in Congress who see great possibilities in trading with Hungary will interpret this statement? Mr. Kadar's remarks concerning the widely heralded private enterprises, whose existence is interpreted by the majority of journalists a few economists and some Congressmen in the United States, as proof of Hungary's "quasi-captialist" economy are eye opening:

"Finally, I would like to answer the question whether we are working in a socialist or a capitalist manner. Production distribution according to social sectors in Hungary was the following in 1982: 93.1 percent of industrial production was produced by state factories, 5.6 percent by coops, that is, 98.7 percent was produced by the socialist sector, 1.3 percent of industrial production by the private sector. In agriculture in the past year, state farms produced 16.4 percent of production, cooperative farms 68.4 percent, and so-called auxiliary farms 14.2 percent. That is, the socialist sector provides 99 percent of total agricultural production, and the individual farmers--as we put it according to the old concept--or the private sector produced 1 percent. The state conducted 62.2 percent of retail trade, coops 36.7 percent, or 98.9 percent was conducted by the socialist sector and 1.1 by the private sector.

I believe everyone here knows that in our country 98 percent of the means of production is social property, we have eliminated the exploitation of man by man. Therefore, we can maintain that the Hungarian economy is socialist, the methods used in economic life premote socialist building and serve its interests. We need to have a clear picture of this in our entire party and among our federates."

He also noted: "There are small businesses, we need them but the number of participants is relatively insignificant, particularly in relation to their press."

This speech seems to contradict all arguments used to justify the enthusiastic praise of Hungary's adaption of the principles of "market economy".

Our policy makers are well advised to take a closer look at the human rights record of "Quasi-capitalistic" Hungary before extending further sweeping diplomatic, monetary, financial and economic concessions towards the government in Hungary in order to encourage its "free enterprise" economic policy and approve its compliance with the requirements of Section 402 ot the Trade Act of 1974.

I request that supporting documentation providing insight to the emigratio policies, and the lack of comliance with human rights covenants of the government in Hungary be made part of my testimony and published in the printed record.

SUPPLEMENTS

SUBMITTED BY

THE COORDINATING COMMITTEE OF HUNGARIAN

ORGANIZATIONS IN NORTH AMERICA

IN SUPPORT OF THE COMMITTEE'S TESTIMONY

BEFORE THE SUBCOMMITTEE ON INTERNATIONAL TRADE

OF THE

UNITED STATES SENATE

CONCERNING

A PRESIDENTIAL RECOMMENDATION TO CONTINUE THE WAIVERS APPLICABLE TO THE SOCIALIST REPUBLIC OF RUMANIA, THE HUNGARIAN PEOPLE'S REPUBLIC AND THE PEOPLE'S REPUBLIC OF CHINA AND TO EXTEND THE WAIVER AUTHORITY UNDER THE TRADE ACT OF 1974

AUGUST 5, 1983

TRANSLATION FROM THE HUNGARIAN

DECREE NO. 4/1970 (III. 3) KORM. OF THE HUNGARIAN REVOLUTIONARY WORKER-PEASANT GOVERNMENT ON PASSPORTS *

Emigration and Consular Passports

Sec. 12. (1) A passport for final settlement abroad may be issued to a person who has completed the age of 55 years and wishes to depart for abroad for the purpose of living with his parent, child, or spouse, provided that he does not have any liability for support (Law No. IV of 1952) or for civil or public debts.

(2) The decision of approval by the orphan's authority shall be required for the final departure for abroad of a minor child.

(3) The permission of the Minister of Defense shall be required for the final departure for abroad of a person liable to military service.

(4) The Minister of the Interior may grant an exemption from the restrictions defined in paragraph (1) in well founded cases.

(5) An emigration passport shall be issued to a person who wants to leave the territory of the country permanently and requests his release from the bonds of citizenship.

(6) A consular passport shall be issued to a person who wants to leave the territory of the country permanently, but [who] does not request his release from the bond of citizenship.

* Excerpt from the law

Some Legal Aspects of the Restrictions of Human Rights in Hungary

by Gyorgy Krasso

(Excerpt from the above titled report prepared for the International Helsinki Federation for Human Rights and Published in "Violations of the Helsinki Accords: Report from Hungary, May 1983")

When the Ministry of the Interior refuses to grant a passport to someone, this decision may not be contested in court either, although Statutory Rule No. 20 - enacted in 1978 - declared that foreign travel is the personal right of any Hungarian citizen, and the Hungarian government has undertaken by signing the International Covenant on Civil and Political Rights as well as the Final Act of the Helsinki Conference to allow free emigration and to encourage tourism. According to the provisions of the law, private foreign travel is allowed each person once a year at most, but there are many people who are entirely denied the right to travel. For example, foreign travel may be forbidden to persons who "intend to visit someone who has been staying abroad illegally for a period of less than five years," or "who in the course of an earlier voyage behaved in a manner that is unworthy of a citizen of the Hungarian People's Republic," or who had been "previously convicted," etc. The Ministry of Interior has deprived several Hungarian citizens of the right to travel. Moreover, this was not even done on the basis of Statutory Rule No. 20, but the reasons given were based on Decree No. 53 /1978(XI.10), par. 6, item 1 of the Council of Ministers, which stipulates that the applicant's foreign travel would be against "public order" or "public interest." Passport authorities almost never offer a more detailed explanation. Appeals are rejected on the same basis and - as noted above - the applicant may not contest his case in court.

Two examples: Sandor Lichtenstein, 55, a production engineer who resides at Budapest, IV. Baross u. 59, wanted to emigrate to Canada to join his wife and children. He possessed a visa and all the required certificates. However, his plea for family reunification was rejected by the authorities on the grounds that his travel "would be against the interest of the community." His efforts to obtain permission to emigrate have been unsuccessful since then.

The author of this paper (Gyorgy Krasso, residing at Budapest, I. Fo u. 37 b.) has been trying for the last 19 years to obtain permission to visit his brother in England, but he has never received the passport necessary to travel to the West. His passport for socialist countries has been confiscated as well. The authorities cite the protection of "common interest" or the "public order" as the reason for rejection. A more detailed explanation has been denied to him to this very day. And a number of similar cases might have been mentioned.

APPEAL

TO

PAL LOSONCZI, CHAIRMAN OF THE PRESIDENTIAL COUNCIL OF THE HUNGARIAN PEOPLE'S REPUBLIC

On June 16, 1958 Imre Nagy, Pal Maleter and Miklos Gimes were executed for their role in the Hungarian Revolution. Their remains, along with those of the many others who were similarly put to death, were buried by the authorities in unmarked graves.

On the eve of the twenty-fifth anniversay of the execution of Imre Nagy and his associates we appeal to you and to your government to adhere to the principles of human rights embodied in the Helsinki Final Act by fulfilling the repeated requests of the surviving family members for the identification of the gravesites, for permission to visit the identified burial places and for the recovery of the bodies for proper interment of their executed relatives.

Jimmy Carter

(Rev.) Imre Bertalan

(Rev.) Theodore M. Hesburgh, C.S.C.

William F. Buckley, Jr.

Leo Cherne

Arthur J. Goldberg

Lane Kirkland

Czeslaw Milosz

John Richardson

Ted Solotaroff

(Most Rev.) Philip M. Hannan

(Rev.) Julian Fuzer, O.F.M.

Anne Armstrong

Vladimir Bukovsky

Donald S. Dawson

Charlton Heston

Clare Boothe Luce

Walter F. Mondale

Bayard Rustin

Edward Teller

Eugene Wigner

This letter was read at a commemorative program held on June 16, 1983 in the Mansfield Room of the Capitol and sponsored by Senator Dole and Congressman Horton

THE WHITE HOUSE
WASHINGTON

June 15, 1983

I am proud to join Senator Dole, Congressmen Fascell and Horton, and the Coordinating Committee of Hungarian Organizations in North America in noting this historically significant moment.

June 16, 1983, marks the twenty-fifth anniversary of the tragic execution of Hungarian Prime Minister Imre Nagy, General Pal Maleter, Miklos Gimes, and many others in the aftermath of the struggle for their country's liberty during the 1956 Hungarian Revolution. The valor, dignity, and dedication they displayed in the pursuit of freedom reaffirms our belief in the eventual triumph of the human spirit over totalitarianism. While every freedom-loving American shares the sorrow of this occasion, we all are inspired by the realization that people around the world still yearn for the liberty Hungarians so courageously fought for in 1956.

I commend the efforts to identify the graves of the gallant men and women of the Revolution and to secure access to their remains for proper burial after so many years of anguish on the part of family and friends.

As we remember the events of twenty-five years ago, let us extend our sympathy to the distressed families and friends who pay tribute to the memory of their countrymen who died to further the cause of a free, independent, and democratic Hungary.

Ronald Reagan

THE NEW REPUBLIC

July 11, 1983

Budapest's unquiet dead.

INDECENT BURIAL

FOR TWENTY-SIX YEARS, family, friends, and strangers lit candles and placed flowers on the graves of Section 21 of the main Budapest cemetery on Kerepesi Street. The section, begun in late October 1956, became the burial ground for two hundred fifty men and women, most of them under the age of twenty, who were killed fighting for the Hungarian revolution. The graves are scheduled to be eliminated by the end of 1983.

A year ago cemetery officials—state employees, of course—posted a notice in the cemetery, addressed to the families of the dead. The notice said that Section 21 was being cleared, in accordance with the law that defines twenty-five years as the limit of cemetery use, and that unless the families paid for exhumation (which costs a month's wages) and moved the remains of their dear ones elsewhere, the remains would be trucked to a collective grave in another location.

Officials of the Hungarian embassy in Washington insist that there is no political motive in the decision to vacate Section 21. They say that nine other sections are also being vacated as part of "an aesthetic master plan devised long ago." They say that the task of informing the families affected is being handled "in the most humane way possible." Nevertheless, they acknowledge that families of those who died fighting *against* the revolution did not receive a similar notification about the twenty-five-year limit. Nor is there any indication that sections reserved for the Soviet military and the Hungarian secret police are in any danger of being vacated. When I questioned one embassy spokesman about Section 21, I was cautioned that the issue is "not timely" and that the events of 1956 are "nothing but history which young Hungarians no longer care about." He added that writing articles about Section 21 "does not promote better Hungarian-American relations."

The fact is that Section 21 is the closest thing that exists in Hungary to a memorial for those who died fighting for the 1956 revolution. It is never easy to divine secret objectives, especially in cases where so much public symbolism and such deep personal feelings are involved. But it is hard to believe that the decision to raze such a graveyard is due to aesthetic considerations. Those of us who have welcomed the postrevolutionary regime's considerable progress toward liberalization are puzzled. After all, what does János Kádár stand to gain by stirring painful memories? Can he believe that the leveling of a graveyard really helps erase the memory of those few days when Hungary played center stage in world history? Or is the regime confident that its liberal reputation is so well established and the issue of a little cemetery is so obscure that no one will bother to mention it in print?

BUDAPEST is an Old World capital crowded with marble monuments to martyrs and bronze statues of liberators. The past is an everyday presence, and creating its own version of history is a major concern of every government. The families of the dead fighters in Section 21 were relatively privileged: they were able to bury their relatives themselves. The families of those who were executed after the Soviet invasion of November 4 have been less fortunate.

The executed were interred in unmarked graves, probably in a place known as "the prisoners' cemetery," in the Budapest suburb of Rákoskeresztur. It is surrounded by barbed wire and guarded by soldiers, and no visitors are allowed. The graves are marked only by numbers. Only top officials have access to the ledger that identifies who is buried in which gravesite.

If there are no graves, no one died. If no one died, no one fought for the revolution. If no one fought for the revolution, the revolution did not happen. To this day, almost exactly twenty-five years after the executions of Imre Nagy, Prime Minister during the revolution, and his three co-defendants, it is a state secret where they are buried. Through personal contacts and legal channels, their families have repeatedly appealed to the authorities that they be allowed to visit the graves. The requests are left unanswered.

Last November Pál Maléter, an architect in the Veterans Administration, filed a petition from Washington requesting that the remains of his father be transferred from their present unknown location to the family crypt. His father was General Pál Maléter, the Minister of Defense, whom the Soviets arrested while conducting armistice negotiations. He was the highest-ranking military officer executed after the uprising. Though encouraged by embassy officials to write to the authorities in Budapest, Maléter has not yet received an answer.

A more speedy response was given to a 1981 congressional appeal—addressed to Party Secretary Kádár and signed by Senator Daniel Moynihan and Representative Frank Horton of New York, and Representative Millicent Fenwick of New Jersey—to permit families of the executed revolutionary leaders to visit the gravesites. The Hungarian ambassador, János Petrán, refused to forward the letter and returned it to its senders, explaining that such appeals "are irreconcilable and incompatible with historically established intercourses between representatives of states and with the general trend of Hungarian-American relations."

PRESIDENT REAGAN recently issued a public letter strongly endorsing a new appeal now being circulated which has the signatures of Jimmy Carter, Walter Mondale, Lane Kirkland, and William F. Buckley Jr. Still, the State Department is uncomfortable with the matter of the gravesites. Under both Republicans and Democrats, foreign policy experts have cited Hungary's decentralized economy and its cultural life as a model for other Soviet bloc countries. Hungary was recently recertified as a most favored nation. "Why not concern ourselves with the living?" one U.S. official snapped. Yet it is hard to repress indignation. After the fiercest battles in history, the vanquished were allowed to bury their dead. King David ordered a state funeral for King Saul, the rival who had sought to kill him. Even Khomeini has been punctilious in returning to the families the bodies of his victims.

Privately, Hungarian government officials suggest that there will be no change of policy until Kádár's retirement or death. Kádár, who was once himself convicted of high treason in a Stalinist trial and was freed by Nagy during Nagy's first tenure as Prime Minister in 1953, served in Nagy's 1956 cabinet until, backed by Soviet troops, he formed his own government. One reliable account claims that Kádár was present when Nagy was hanged; the explanation is that the Russians must have forced Kádár, a man known to be temperamentally repelled by bloodshed, to be present. After the judge issued Nagy's death sentence—death by hanging—he refused to appeal for clemency. In his last words at the conclusion of his trial on June 15, 1958, a warm summer Sunday afternoon, he declared: "I am appalled by one thought: that my murderers may rehabilitate me."

Rehabilitation is a ritual that Communists reserve for those of their comrades who were consigned to oblivion by the General Secretary of the day, but who are vindicated in the dialectical fullness of time; and rehabilitation is often formalized by reburial, an important ritual of the Communist cult of the dead. One need not be a Marxist to believe that history will yet revise the aesthetic plan for Section 21 and the unmarked graves in the prisoners' cemetery.

CHARLES FENYVESI

Charles Fenyvesi is a staff writer for *The Washington Post Magazine*.

Bill Lomax

Independent publishing in Hungary

(EXCERPT)

New man in the Kremlin — new line in Budapest

The succession of Yuri Andropov, former KGB chief who was Soviet ambassador in Budapest at the time of the 1956 uprising, to the leadership of the Soviet Communist Party has been followed by a hardening of the official Hungarian line against the unofficial publishers. What had so far found expression only in the form of threats has now been turned into determined police action aimed at bringing an end to the open publication and distribution of samizdat literature.

The signal for the new line was given by Péter Rényi, editor-in-chief of the party daily *Népszabadság*, in an article of 11 December 1982 in which — in tones reminiscent of the darkest periods of Stalinism and the cold war — he attacked the dissidents, and the writer György Konrád in particular, as agents of Western imperialist forces seeking to undermine the socialist order in Hungary. The time had come, he declared, to draw the line between those who offer 'objective, critical observations' and those who engage in 'hostile political activity'.

Three days later, on the evening of Tuesday 14 December, ten minutes before the 'samizdat boutique' of László Rajk was due to open for business, police in considerable strength searched Rajk's flat, seizing duplicating equipment and all the samizdat literature they could find — over 150 titles. The confiscated material filled two minibuses and one estate car. Simultaneously, police raids were carried out at the homes of five other dissidents, where samizdat publications were also produced or stored. The total amount of material seized has been estimated as having a value close on half a million forints.

László Rajk, together with the two editors of the *AB* independent publishing house, Gábor Demszky and Jenő Nagy, were taken to police headquarters for questioning. So were at least five other people detained in the course of the raids. No charges were brought against them, and they were all released in the early hours of the morning. The following day the Party paper *Népszabadság* carried a brief report of the police action.

On the next Tuesday evening, 21 December, when László tried to open his bookshop, the police were again the first visitors. The flat was searched once more and further samizdat material confiscated, though on this occasion the police took no one in for questioning. The week after that, 28 December, the police did not enter the flat, but stopped people in the street who were going there and checked their identity cards. Subsequently, several of these people have been summoned for questioning by the police.

Finally, in an attempt to close down the samizdat bookshop completely, the Hungarian authorities issued László Rajk with a notice to quit his flat by 15 January 1983, on the technical excuse that he was renting two municipal flats in Budapest (the other having been previously occupied by his mother, Júlia Rajk, until her death in September 1981). He was evicted by the police on 25 January. But though he has been forced to leave the flat that has served as an independent bookshop for the past two years, Rajk has made it clear that he will continue to help produce and distribute samizdat literature.

These actions by the authorities have undoubtedly brought an end to a certain phase of oppositional activity in Budapest. Up till now the strategy of the democratic movement has been to act freely and openly, avoiding all forms of conspiratorial or clandestine activity. Relying on the supposed immunity of individuals such as Rajk, and on the regime's reluctance to jeopardise its fastidiously cultivated liberal image in the West, the dissidents felt confident they were safe from police repression.

Yet it was inevitable that there would be limits to the regime's patience and tolerance. And the Hungarian authorities have sufficient sophistication to realise that administrative measures can be at least as effective in clamping down on the samizdat as a policy of arrests, trials and imprisonment.

The future of independent publishing in Hungary now depends on the ability of the democratic opposition to organise itself in a more efficient way, and to win a wider level of support among the population — in the long run the only real defence against the power of the state.■

To the Hungarian Procurator General

On 29 June 1982, twenty leading intellectuals, who included the well-known film directors Miklós Jancsó and Károly Makk, sent the following letter to the Procurator General of the Hungarian People's Republic.

For the past three weeks Gábor Demszky, Jenő Nagy, András Nagy, Ferenc Kőszeg and János Kis have been subjected to harassment by organised hooligans. Their pursuers have closely followed them without any inhibitions, brutally impeding their freedom of movement, and throwing obscene and anti-semitic abuse at them, even at their family members and small children too, to the consternation of passers-by. The persons listed above, who appear in the sphere of the 'second publicity' in publications bearing their names, are hardly known to us, but we are familiar with the methods of street harassment employed against them — the anti-semitic jibes, the verbal and physical insults. It was thus with astonishment that we learned that extreme right-wing methods that are beyond the law should make their appearance once again on the streets of Budapest in 1982. Whatever opinions the persons mentioned above may hold, they have been subjected to ill-treatment for expressing their belief in the values of freedom of opinion and freedom of speech. The lessons of our history oblige us to voice our protests at the first sign of politically-inspired street harassment. We do so not only in defence of those whose human dignity has been affronted, but also because, in a world shaken by political hysteria, Hungary has until now been an island where the methods of vulgar politics that are beyond the law could find no place.

We respectfully request the Procurator General, in accordance with the responsibilities and jurisdiction of his office, to enforce the principles laid down in the Constitution of the Hungarian People's Republic, and not allow the repetition of such incidents to produce fear and anxiety among the public.

Budapest, 22 June 1982.

Ferenc Donáth; Imre Cserépfalvi;
Dr Imre Hermann; Ervin Vályi-Nagy;
Jenő Széll; Endre Bálint; Károly Makk;
Jenő Szücs; Károly Tettamanti;
Sándor Scheiber; Gyula Illyés;
Emil Kolozsvári Grandpierre; Jenő Barcsay;
Hilda Gobbi; Tibor Vilt; Máté Major;
Tamás Major; Zoltán Kocsis; Pál Kadosa;
Miklós Jancsó.

From Beszélő No 4, samizdat journal, Budapest, September 1982.

End of an illusion

The fourteenth of December 1982 saw the end of an illusion in Budapest — that of tolerance. At eight in the evening, plainclothes policemen raided the flat of the 37-year-old architect László Rajk, which had been the symbolic centre of independent literature free of censorship. It was a Tuesday, when the flat is crowded with the buyers who had been coming every week to this 'samizdat boutique'. House searches took place in five other Budapest apartments, as well as in other towns. The police confiscated carloads of paper and printed matter, a duplicator, and several silkscreens. Fifteen people were detained overnight, interrogated and then released. The searches were still going on when Budapest Radio broadcast the police announcement, without mentioning any names. That was how the Hungarian government made public that it no longer wishes to be thought of as more tolerant towards free expression than its partners in the Warsaw Pact. It has criminalised samizdat for the first time, having silently accepted its existence for two years.

Miklós Haraszti, Budapest.

Bill Lomax expelled

On 27 December 1982 the author of our article, Bill Lomax, a lecturer in sociology at the University of Nottingham, travelled by train from Vienna to Budapest in possession of a valid visa issued by the Hungarian Embassy in London at the beginning of November 1982. He was admitted into the country, and during the regular passport inspection on the train his passport was stamped for entry into Hungary. Shortly before arrival at the Eastern railway station in Budapest, however, he was detained by two passport officers and ordered to leave the train with them. After being held for two hours at the railway station, he was accompanied back to the Austrian frontier on the next train to Vienna.

No explanation for the expulsion was given by the Hungarian authorities — neither to Dr Lomax himself, nor to the British Embassy in Budapest who protested to the Hungarian Foreign Ministry about the incident.

This is the first instance for very many years of a British citizen (other than former Hungarian nationals) in possession of a valid visa being either refused entry or expelled from Hungary. Bill Lomax feels that his expulsion represents just one aspect of the new official line against the dissidents — and that similar treatment can now be expected by other writers and journalists if they publish accounts of political and intellectual repression in Hungary.

The following is the translation of a letter, dated June 24, 1983, and written by Mr. Bela Liptak/84 Old North Stanford Rd. Stamford, CT 06905, Tel: 203-325-3922/to his friends. The letter gives account of his experiences during his visit to Hungary in early June of 1983.

" In the first half of this month I was at home /in Hungary/ accompanying the remains of Sandor Kiss on their last journey to the cemetery of Vasarosnameny with his wife Eva and his daughter Zsizsi. The pictures at the right were taken during the burial ceremony.

At the request of Marci Sass I give account about an episode which took place before the funeral: On the train to Nyiregyhaza /from Budapest/ three persons in civilian cloth, tried to provoke a fight first by shouting obscenities to my Mother, and then by call me a jew, a queer, etc. and finally they insulted the memory of the Revolution and of those who died during that event. In the meantime they repeatedly warned the other passagers in the compartment that they do not hear anything, do not see anything. After their provocation was unsuccessful, in Nyiregyhaza they tried to take me to the police station. Since they did not identify themselves I refused the demand to follow them. These experiences may contribute to the fact that one day after the funeral /in Nyiregyhaza there was even a scuffle between us/ I found myself in a mental institution where I was treated for a nervous breakdown with electroshock etc."

KADAR SPEECH TO APRIL PARTY PLENUM

Budapest PARTELET in Hungarian No 5, May 83 pp 3-19

[Speech by Janos Kadar, MDZMP first secretary, to the 12-13 April MSZMP Plenum in Budapest 12 April 1983]

"A contrary phenomena is also in evidence in our society, a certain oppositional and in fact in some places inimical commotion to which radios and other propaganda organs supported and financed by the imperialists grant daily support. Numerically these forces are not significant, they are isolated from the masses.

However, behind this commotion there lurks anticommunism and opposition to the socialist system, sometimes independently of the knowledge and will of the participant. We must therefore evaluate their activities in this way.

In the recent period these elements have become somewhat more aggressive. There are certain ones who would like to legalize themselves in order to acquire a forum. In this regard, the party and primarily our Central Committee must present a firm stance: in Hungary the social movements provide broad-scale possibilities, in which every honorable person has a place, the participants represent a varied scale of colors but we shall not legalize hostile endeavors either in the people's front or in the peace movement or in any other area; we shall not tolerate the building up of oppositional bases.

We do not wish to multiply the number of our enemies, we shall not stigmatize anyone, we shall not name anyone as an oppositionist. We must work and strive to win over every person. If finally someone turns out to be incorrigible and is opposed in an organized way to the socialist system, we must let him clearly understand: our party, our federates who progress with us, and the greatest part of Hungarian society are unified in seeing that we shall defend the interests of our people and our socialist achievements by every means and against everyone, in such a way as the situation requires.'

'In the following I shall speak of another problem which is being debated to a certain extent in the party and in society, one in which--I believe--the Central Committee will have to take a firm and clear position. In recent years and decades, Hungary has developed, and it has found suitable solutions for its social and economic problems. We may speak of this with assurance but the Western propagandists would make it appear that this is possible in the field of economic life because the Hungarians--they say--use capitalist methods. This same question is also asked, although with a certain concern on our part, in our society and party: "Aren't we using capitalist instead of socialist methods?"

Well, in the end, what methods are we using? What kind of building is underway in Hungary, socialist or capitalist? To clarify this, I would like to recall our quarter-century-old debate, once already concluded, on an earlier problem. I recall, for example, the earliest phase of the post-1956 development when there was a debate over the fact that we put an end to having industrial workers bound to a definite place of work. There was a debate over the fact that we did away with the agricultural collection system and converted to a contractual system. Some people asked me: "From where will the country get its bread?" At that time, I did not know what to answer, but the decision was an urgent one, and we passed the resolution in December 1956. I knew this much: we would not get our bread from the collection system, and I also had confidence that the contractual system would make it possible to buy up the necessary amount. This is what happened. Later, when the socialist reorganization was carried out in agriculture, a debate was waged over household farms. And then for a long time there was a debate over holding a second job. Since then on the basis of experiences, it has become clear that the household farm is an integral part of large-scale, socialist agriculture, it is to the benefit of the country and the individuals engaged in the work. We also regulated second jobs adequately--there is no problem with it. There was a great deal of debate over the economic reform introduced in 1968, the economic guidance system.

Unfortunately, there are still problems in regard to small private businesses. Most recently, the Politburo sought to create some kind of order and to make it possible for us to work with clear concepts and to allow propaganda also to deal unambiguously with the problem. We need to clarify the concept of small businesses in itself. If some state industrial enterprises, with definite industrial goals, divest themselves of or make independent some of their own operations, they remain state industrial enterprises even though they become smaller. The same is true of an agricultural or industrial coop, even though it works with a smaller number of personnel, it remains a coop, a part of the socialist sector. Small trade and small industry, which we are consciously developing, we will continue to call exactly that and we will not call them small businesses. There are small businesses, we need them but the number of participants is relatively insignificant, particularly in relation to their press. Propaganda should not deal with them too much now, let us wait a year, review our experiences, let us put the matters in their proper place; all these forms serve the interest of our socialist goals and of the population.

At present, there is a debate over our indebtedness to the West. Regarding this, I would merely note that a country lives with certain geographical, natural and economic endowments, and no one in the world can change these. We have available a developing production capacity which requires raw materials and energy. We need to import many other things because we cannot produce them ourselves. In this regard, we have had for about a quarter of a century one basic rule: we will buy everything from the Soviet Union and from other socialist countries. Whatever we cannot obtain there we will look for in the developing world. Finally, whatever cannot be obtained there either we will purchase from the developed capitalist countries. A country must live and work, an economy must operate.

"Finally, I would like to answer the question whether we are working in a socialist or a capitalist manner. Production distribution according to social sectors in Hungary was the following in 1982: 93.1 percent of industrial production was produced by state factories, 5.6 percent by coops, that is, 98.7 percent was produced by the socialist sector, 1.3 percent of industrial production by the private sector. In agriculture in the past year, state farms produced 16.4 percent of production, cooperative farms 68.4 percent, and so-called auxiliary farms 14.2 percent. That is, the socialist sector provides 99 percent of total agricultural production, and the individual farmers--as we put it according to the old concept--or the private sector produced 1 percent. The state conducted 62.2 percent of retail trade, coops 36.7 percent, or 98.9 percent was conducted by the socialist sector and 1.1 by the private sector.

I believe everyone here knows that in our country 98 percent of the means of production is social property, we have eliminated the exploitation of man by man. Therefore, we can maintain that the Hungarian economy is socialist, the methods used in economic life promote socialist building and serve its interests. We need to have a clear picture of this in our entire party and among our federates.

We introduced the present economic guidance system on 1 January 1968, and at the time we called it the economic guidance reform. Today we could actually drop the reform concept because we are speaking of a system which has been operating for 15 years. The essence of it is: socialist plan management that takes into account the laws of the market. The characteristic of this system is guidance by economic regulators, the economic plans are not broken down by factories, which work with great independence. This guidance system operates, it is viable.

Nowadays certain ones are raising--in some places in publications--the reform of the reform as a requirement, a demand. As one element of these beginnings, the view has been expressed in certain writings that the state should not interfere in economic life, in economic activity. Although not in writing, the view has also been expressed that the party should withdraw from the economy. The Central Committee must take a firm position in this question and work with clear concepts. We must firmly fix, first of all, that the party will have a decisive role in determining economic policy. Secondly, that in economic work the organizing role of the state will remain throughout the era of building socialism. Thirdly, that we will keep the economic guidance system that has succeeded in practice, its improvement is a constant task, but a new reform, the reform of the reform is not on the agenda. The way matters stand at present this is unnecessary, and in fact would be harmful. Of course, we will have to attend to, maintain, perfect and develop our economic guidance system, we will never be free from this task and problem."

"... we must seriously improve our work also in the area of propaganda, agitation and mass information.

The first condition for doing this is the responsible handling of basic questions. In the press, radio and television field it is not enough that there should be a presentation or that the newspaper should appear. More important than this is the content, what they provide and what they propagate in mass dimensions. Because it is really true that in Hungary one of the characteristics of development is a somewhat greater possibility for individual success and improvement in living standards, but we will not do well if we place the race for material goods excessively in the center of interest. In society and people alike, a dual feature can be observed: socialist thinking has been strengthened but petty bourgeois thinking has also advanced. In recent times there has been a bit if an expansion of indifference toward public affairs, of egoism and selfishness. When these petty bourgeois views appear in mass information we frequently hear reference to the alleged demands and interests of public opinion. The problem is not that simple! Mass information must also think about what kind of demands it arouses with its work, what interest it stirs and nourishes.

There is an increase in the printed press--although more in peripherally placed journals and newspapers as well as on radio and television of disquieting publications which vary from our policy and in fact are in opposition to it which are appearing without the editors or program directors correcting these immediately or at least at the given opportunity. We have no censorship, and we shall not have because there are those responsible in the area who must keep their hand on matters. They are the ones who must be concerned about the kind of mass effects the programs and articles have, particularly if political and ideological matters are in question. I do not like to bring it up, but in certain Hungarian periodicals they sometimes print such economic views that one must ask: Is what they have written a nightmare or are they just pulling our leg? But we hear of open praise and even excuses for stealing. On another occasion, an interview with a workers' guard suggested it is not worthwhile to make any sacrifice. Is this our policy? Is this the propagation of our ideas? We must take these matters more seriously.

I am not saying that mistakes must not appear in the printed press, on radio or television. But then please correct, straighten out these errors. And also express the party's point of view, although sometimes it is not even a matter of the party's point of view. And let us not put up with having old, sometimes decades-old, affairs dug up that arouse feelings against the party and the system."

Excerpts from the English translation of the full text of the speech as published in East Europe Report; Political, Sociological and Military Affairs No. 2151, 10 June, 1983 Foreign Broadcast Information Service